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CHRISTIAN MARRIAGE

H.Hensley Henson,D.D.

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Christian Life Series

CHRISTIAN MARRIAGE

Christian Life Series

THE series of volumes of which this is one has for its object the stimulating, guiding and strengthening of the Christian Life.

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CHRISTIAN MARRIAGE

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PREFACE

No questions are in themselves of greater importance, and none more difficult to answer wisely, than those which are connected with the institution of marriage. On the one hand, they affect the large, complicated and ramifying interests of property, for all rules of succession must be based on the principles which determine legitimacy. On the other hand they affect, and that in the most manifest and vital degree, the morals of the community, for the sexual relationship itself is regulated either for good or for evil by the Marriage Law.

Morality stands in the closest connection with religion, and the Church hardly less than the State is interested in the rules which determine the conditions under which the marriage union is created and cancelled. Social stability is not to be severed from domestic purity, and this depends on the

standard of marital fidelity which is maintained among the citizens. Family discipline determines, more largely than any other factor, public morality; nothing can take the place of home influence in the shaping of character, and this influence is plainly dependent on the view which husband and wife take of their union.

It will not be disputed that the importance of the questions raised by the statesman, the social student and the Christian moralist in connection with marriage is equalled by their difficulty. And this difficulty is gravely enhanced by the circumstance that too generally it is not sufficiently recognised. There are fanatics on both sides of the standing conflict between Church and State who apply the simple logic of fanaticism to the problem of marriage, and avoid by ignoring the questions which none the less must ultimately be answered. That marriage is a contract, and therefore from first to last the creature of the law, is the assumption on the one side; that

marriage is a sacrament, and therefore determined by a higher authority than that of the State, is the assumption of the other.

Divorce is mere matter of expediency, regulated by statute, to the first. Divorce is divinely prohibited and therefore outside the range of any human authorisation to the last. It is sufficiently obvious that between these positions there can be no harmony. One must prevail over the other.

In this little book an attempt is made to indicate the elements which must combine in a doctrine of Christian marriage, and therefore must direct the course of a Christian citizen through the difficult discussions of the practical issues concerned. I have not thought it well to embark on such questions of immediate concern as the revision of the Tables of Kindred and Affinity now apparently contemplated by Parliament, nor have I entered on the exasperating subject of clerical duty in the matter of remarrying divorced persons. These topics seemed to be unsuitable for so brief a treatment

as alone would be possible in a small book. But I have indicated, not obscurely, that I do not think these practical questions can rightly or reasonably be answered by *direct* appeals to the Bible or the Church. The Christian law of marriage must beyond all question find its principles in the teaching of Jesus Christ, and its exposition within the Christian society, but the application of evangelical principles will not be learned from the pages of the New Testament, nor may the witness of the Church be⁵_A safely identified with ecclesiastical precedents and decisions in former times.

The relations of Church and State, not merely in that comparatively trivial version of them which is known as "Establishment," but in that larger and more complicated view which includes the whole contact of religion and society, require imperatively at the present time a thorough examination. No thoughtful citizen will contemplate without deep misgivings the alienation from the State of the moral force embodied in the Church,

and no reflective Christian will lightly esteem the misfortunes inherent in a deliberate and sustained divergence of principle between the New Testament and the Statute Book. All must see how gravely the course of social development is affecting public morals.

Good citizens, as such, can combine in the effort to preserve the moral heritage of the State, and to bring to the solemn and difficult work of government all the moral forces of the nation. As a first step in such combination there is need that some agreement should be reached as to the principles at stake, the claims on either side which are irreducible, the necessary conditions of co-operation. If I have succeeded in stating the problem from the Christian point of view my purpose has been secured.

H. HENSLEY HENSON.

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CHRISTIAN MARRIAGE

CHAPTER I

THE THEORY AND PRACTICE OF THE JEWISH PEOPLE IN THE TIME OF CHRIST

THE religion of Christ took its rise in Palestine nearly nineteen hundred years ago, and at the first it clearly stood in the most intimate relation to the established Church of the Jewish people. Fulfilment, not destruction, was the avowed object of the Founder; and, as well by example as by precept, He disallowed the notion that any violent breach with the existing system was contemplated. He claimed to stand in line with the long succession of the Hebrew prophets; His ministry was the completion, and therefore the verification, of theirs. He was an obedient member of the Jewish Church, "born under

the law," and He expressly commanded His followers to recognise the official authority of the "Scribes and Pharisees" who "sate in Moses' seat." To the canonical Scriptures of His nation Christ was accustomed to turn for the sustenance of His own religious life, for the elucidation of His teaching, and for the proof of His claims. From the Founder Himself, therefore, the Christian Church inherited a reverential attitude towards the system of Israel.

It follows that the starting-point of every attempt to appraise the teaching of Christ must be an examination of the doctrine and practice of the Jewish Church to which He belonged. Underlying the Gospels everywhere is the current Judaism of the time; the maxims of Christ pre-suppose both a theology and a morality, and they can only then be justly appreciated when they are considered in connection with the complete mass of ecclesiastical doctrine and practice which they confirmed, or disallowed, or corrected. This

general consideration is particularly relevant to a discussion of the Christian doctrine of marriage. We must start by attempting to recover the view of marriage which obtained in Palestine in the time of Christ.

It goes without saying that the Jews based their practice on the Scriptures of the Old Testament, and therein principally on the legislation of the Pentateuch. The legislation was regarded as the work of the Law-giver, Moses, and its character as a gradual modification of existing practice was not recognised. Thus injustice was done to the legislation itself, and a grave difficulty in the development of morals was created.

Viewed historically, the laws contained in the Pentateuch represent a moral advance, for they correct and mitigate a traditional practice which was in many respects barbarous and immoral. So far we may fairly claim that they form part of the great process of education effected through the Prophets, but the fact that that process was gradual and progressive

prohibited the competence of those laws for the functions which the Rabbis attributed to them.

There is an old proverb that "the good is enemy of the best," and the history of the Mosaic law provides a striking illustration of its truth. Relatively good the laws were; but they soon fell behind the prophetic conscience, and came to represent an inferior and discarded morality. At the time when Christ fulfilled His ministry there was a wide gulf between the morals of the earlier books of the Old Testament and the accepted moral standard of the Jewish people, but the existence of this gulf was screened by the hedge of superstitious reverence with which the sacred literature was surrounded. The Old Testament was, of course, read in a temper of unquestioning acceptance, and although it was not possible even so to evade the grand and pervading conflict between the primitive ideas illustrated by patriarchal practice, and incorporated in the Mosaic law on the one hand

and the prophetic teaching, which from the earliest times attempted the correction of those ideas, on the other, yet the difficulty of reconciling the two was limited to individual thinkers, or gave employment to the speculative casuistry of the Rabbinic schools, rather than disturbed the general mind or affected the general practice.

Probably we may say that the practice was superior to the theory of marriage. Theoretically the Jews, who were the contemporaries of Christ, were polygamists. As disciples of Moses they could be nothing else. The study of their sacred literature confirmed them in a theoretical acceptance of polygamy; and the strong continuous influence of human depravity always secured a certain amount of polygamous practice. Herod the Great had no less than ten wives, and though this was regarded as unusual yet it was admittedly lawful. Indeed, the Rabbis, following their favourite method of giving precise shape to everything, laid it down that eighteen wives

were permitted to a king, though to a private man not more than four or five.*

The facility of divorce was very great, for the reigning school of casuists gave the widest interpretation to the ambiguous phrase in the book of Deuteronomy, to which all agreed to appeal. When, as we shall see presently, our Lord decided in favour of the more rigorous view, His words caused astonishment and even consternation among His hearers. "If the case of the man is so with his wife," they said, "it is not expedient to marry." We could not have a more impressive indication of the depravation of the theory of marriage in the common view. Of Hillel's teaching it would hardly be excessive to say in the words of Gibbon that "the most tender of human connections was degraded to a transient society of profit or pleasure."

There existed, however, two powerful influences which tended to correct the practice of

* *See* Schürer, "Jewish People in Time of Jesus Christ," div. i. vol. i. p. 455 (note)

religious Jews, and it cannot be doubted that these operated with such effect that the polygamous theory was, in the case of the most part of the people, disregarded, and practically the Jews of Christ's time were monogamists. In the first place, marriage amongst the Jews had run the same course as among the rest of mankind, and that course had been steadily in the direction of monogamy; the accumulated experience of the race everywhere crystallised itself in a practical acceptance of monogamous marriage. Polygamy was but a survival from a distant and primitive phase of social development, and its disappearance was one of the best-assured consequences of social advance.

“While Hebrew society in Old Testament times represents an advanced stage in the evolutionary scheme, viz. that in which polygyny and paternal government are the dominant forms, the Old Testament literature has nevertheless been largely drawn upon in the discussion, on the ground that it embodies survivals from the diverse customs of prehistoric times.” *

One conspicuous instance may be noted.

* See Hastings' "Dictionary of the Bible," vol. iii. p. 263.

It is related in the Gospel that the Sadducees challenged our Lord on the question of what is called Levirate marriage, that is, the marriage of a childless brother's widow by his next brother. This marriage, illustrated by a repulsive narrative in the book of Genesis, and formally ordered in the book of Deuteronomy, appears to have been theoretically part of the current Jewish law in the time of Christ. The Sadducees professed, perhaps with truth, to adduce an actual case. "There were with us seven brethren." Yet the Levirate law ran so counter to civilised sentiment that even the Rabbis appear to have disputed as to the obligation of the Mosaic rule. It was long the practice of Christian divines to attempt to explain away what they supposed to be a peculiarity of Hebrew law by some special hypothesis. Even writers who, like the present Dean of Lichfield, are aware of the widely-extended character of the practice, yet deem it necessary to argue that "God, Who made the law, might suspend the incestuous

character of it," and that it was admitted into the divinely-inspired code "under special and exceptional circumstances, as part of concessive and temporary legislation."*

It is not necessary to have recourse to any such expedients when once we remember that the experience of Israel was not other than that of the rest of mankind, that the Levirate-marriage was once common everywhere, and that everywhere for the same reasons it has fallen into disrepute and disuse. The circumstance that the literature of Israel came to have a sacred character, and that a mechanical theory of inspiration clothed that literature with an irrational, because an indiscriminating, sanctity explains the fact that a relic of primitive barbarism survived into the age of civilisation, and drew to itself the anxious regard of civilised and religious men. How barbarous the practice really is becomes apparent when it is considered in the

* See Luckock, "History of Marriage," p. 248.

light of the ideas which determined it. Dr. Driver writes:

“The institution of the Levirate-marriage, it is probable, originated in a state of society in which the constituent units were, more largely than with us, not single families, but *groups of related families*, or joint family groups. In primitive and semi-primitive societies women do not possess independent rights, they are treated as part of the property of the family to which they belong. A married woman, upon the death of her husband, passes consequently, with her children and her late husband's estate, to the new head of the family, who assumes in relation to them the same rights and duties which the husband had: he holds towards them the joint position of guardian and owner; and this brings with it as a corollary the right to treat the widow as his wife. And it is the *brother* who thus becomes the deceased man's heir, because, from his age and position, he is (as a rule) the person who is best fitted to be the new head of the family and the guardian of its interests and rights.” *

The Hebrew institution, then, is not to be separated from its place in the general history of human civilisation; nor are we under any reasonable necessity to read into it any other notions than those which that place suggests. It emerges in the Old Testament like a piece

* See “Deuteronomy,” p. 284 [*International Critical Commentary*.]

of the virgin rock which may be seen obtruding even in the busy thoroughfares of a modern Scandinavian city. All the evidences of culture and progress are around it, but it tells a story of far-distant days when the red granite stood out bleak and naked to the northern storms. The consecration in Israel of a whole national literature created many moral and social problems when the nation had outgrown its primitive conditions and looked back with perplexity on sacred precedents, which none the less offended the conscience. Polygamy and the Levirate-marriage were instances of such sacred but unsatisfactory precedents.

In the next place, there had been operative in Israel from very early times another influence, that of the prophets, which sometimes as in this case worked in the same direction with the general tendency, and sometimes worked in a diverse direction altogether. Now the later prophets were consistently monogamists. Partly, their relatively intense

individualism rebelled against the primitive treatment of women as rather chattels than persons; partly their lofty conception of the divine character rendered them increasingly insistent that no conduct could be fitting in man which ran counter to the righteousness of his Creator. The prophets were also poets, and they invested the marriage-relationship with the moral dignity which made it the favourite and most eloquently suggestive symbol of Israel's relation to Jehovah. And when once they had established that train of religious associations in connection with marriage, polygamy was in every devout Israelite's mind bound up with polytheism and stricken with the fatal character of apostasy. Jehovah is represented as Israel's husband; the worship of other gods is a violation of the marriage covenant, devotion to Jehovah alone is as the chastity and faithfulness of a pure wife.

This conception is found in the writings of Hosea, where indeed it appears to have its

source in the unhappy domestic experience of the prophet himself. His own wife had proved an adulteress, and his children were born in adultery. The anguish which he had felt opened to him a new and profounder knowledge of the true gravity of the national sin. He discovered the intrinsic force and grandeur of his love for his faithless wife when he learned her falseness, and inevitably he carried into his theology the noblest version he could frame of human character. He could ask with the poet:

“ Do I find love so full in my nature, God’s ultimate
gift,

That I doubt His own love can compete with it? Here
the parts shift?

Here, the creature surpass the Creator,—the end, what
began? ”

and his answer could not but be the same. His own love for the shameless Gomer, the daughter of Diblaim, was in its generosity and persistence but a faint picture of the long-suffering and munificent love of Jehovah for His unthankful people. So the prophet wakes

his own private disaster an instrument of spiritual witness.

“And the Lord said unto me, Go yet, love a woman beloved of her friend and an adulteress. Even as the Lord loveth the children of Israel, though they turn unto other gods.” *

A later prophet, the author of the latter part of Isaiah, adopts the same moving and suggestive thought when he thus consoles the captive nation:

“Fear not; for thou shalt not be ashamed: neither be thou confounded; for thou shalt not be put to shame: for thou shalt forget the shame of thy youth, and the reproach of thy widowhood shalt thou remember no more. For thy Maker is thine husband: the Lord of Hosts is his name: and the Holy One of Israel is thy Redeemer: the God of the whole earth shall he be called. For the Lord hath called thee as a wife forsaken and grieved in spirit, even a wife of youth when she is cast off, saith thy God.” †

And again in another place the prophet writes:

“Thou shalt no more be termed Forsaken: neither shall thy land any more be termed Desolate: but thou shalt be called Hephzi-bah, and thy land Beulah: for

* Hosea iii. 1.

† Isaiah liv. 4-6.

the Lord delighteth in thee, and thy land shall be married. For as a young man marrieth a virgin, so shall thy sons marry thee: and as the bridegroom rejoiceth over the bride, so shall thy God rejoice over thee." *

The prophet Malachi emphasises the duty of faithfulness to the marriage bond not only by adducing the divine hatred of all treachery, but also by representing that Jehovah Himself is the witness to the marriage covenant. The contempt with which the offerings of the Jews were received had its explanation, according to this prophet, in the moral fault of the worshippers. To their question why their service was unacceptable he answers thus:

"Because the Lord hath been witness between thee and the wife of thy youth, against whom thou hast dealt treacherously, though she is thy companion, and the wife of thy covenant. . . . Therefore take heed to your spirit, and let none deal treacherously against the wife of his youth. For I hate putting away, saith the Lord, the God of Israel, and him that covereth his garment with violence, saith the Lord of Hosts: therefore take heed to your spirit, that ye deal not treacherously." †

Malachi, as afterwards our Lord, refers to

* Isaiah lxii. 4, 5.

† Malachi ii. 14-16.

the narrative of the Creation as proving the duty of marital faithfulness.

When the famous declaration was added to the record in Genesis cannot be determined, but at least we may be sure that it represents a prophetic handling of the primitive material designed to correct current practice in the direction of monogamy. "The primitive Hebrew tradition," observes Bishop Ryle, "is made, through the Divine Spirit, the first step in the stairway of Divine Revelation."*

Historically the order of moral attainment was otherwise. Man did not begin with monogamy, but reached that stage of moral advance by a long and gradual progress; but monogamy did represent the true demands of human nature in this particular of sexual intercourse, and therefore was fitly set in the forefront of the prophetic version of human origins as indicating, in advance of the history, the ideal which would determine its course. Read as record of fact, the narrative may be

See "Early Narratives of Genesis," p. 29.

actually, from the point of view of the modern student, grotesque; read as symbolising fundamental truth, it is precious and illuminating still.

No help meet for man can be found in all the circuit of created life outside the sphere of humanity itself. Fundamental equality of nature must condition sexual union, and not less must determine the intimacy and permanence of that union. "The man said, This is now bone of my bones, and flesh of my flesh: she shall be called woman, because she was taken out of man. Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh." The prophetic teaching, then, had checked, and to a great extent corrected, the tendency of the law and the history to perpetuate, under sacred sanctions, a properly obsolete type of marriage.

It must be added that the circumstances of the nation in the period preceding the advent of Christ had contributed to the same result

by bringing the Jews into closer relation with the rest of mankind. The Greeks and Romans were monogamists, and the Jews of the dispersion were, in spite of themselves, compelled to mitigate their provincialism in many respects. The sexual licence of the Græco-Roman world was, indeed, truly repugnant to the best instincts of a race which treasured the pure teachings of the prophets, but in the particular matter of polygamy the Jews were probably assisted by the influence of their Gentile neighbours to escape in practice from a vicious theory. Dr. Edersheim writes:

“The readers of the New Testament cannot but feel that the relations there indicated proceed upon the assumption that monogamy was the rule, and polygamy the exception. The permission of polygamy, and the comparative facility of obtaining a divorce, may seem to militate against the fundamental idea of the marriage relation. But against these drawbacks we have to put the two indubitable facts, that generally men were only united in wedlock to one wife, and that Jewish females occupied not only a comparatively but an absolutely high position. The law throughout recognised and protected the rights of women, and discouraged the practice of polygamy. An impartial reader cannot rise from the perusal, not of a few isolated passages, but of the sections

of the Mishna bearing upon this subject, without being impressed with this conviction." *

It does not appear that Christ ever came into contact with any other marriage law or practice than those which obtained in Palestine, and accordingly He never encountered the gross licence of the Græco-Roman world. Very early in the experience of the Church, however, the practical questions implied in the theory and practice of marriage were raised outside the pale of Judaism, and the Apostles found themselves compelled to apply the principles of the Gospel under novel circumstances. We shall find that this application was by no means easy or altogether successful. For outside the Jewish sphere there were absent the presuppositions of a sound marriage law. Christ could take for granted the prophetic teaching, and He could appeal with the assurance of success to the Scriptures against the relatively debased standard of Rabbinic morality.

* See "History of the Jewish Nation," p. 272.

In point of fact there does not appear to have been any great or continued difficulty within the Jewish-Christian churches in securing a satisfactory practice in the matter of marriage; but it was far otherwise in the case of the Gentile churches. When we pass from the Gospels to the Pauline Epistles we are conscious of a great change in the moral atmosphere. Behind our Lord's teaching there is a moral background essentially Christian; behind the Pauline Epistles there is a background of moral confusion definitely pagan. Accordingly there is a suggestive absence of direct legislation in practical morals in the one case, and an equally suggestive abundance of it in the other.

Our Lord's pronouncements on the subject of marriage are, indeed, as coming from Him, of supreme importance, but they do not carry the question beyond the point at which the prophet Malachi had left it, and, indeed, there was no need that they should. He adopts the prophetic point of view, adds the

sanction of His divine authority to the prophetic teaching, and inaugurates an epoch of moral progress under the control of His Gospel, which, by slow but advancing stages, would raise the institution of marriage to an altitude of purity and moral power which neither the Jewish nation nor the ancient world could imagine.

CHAPTER II

THE TEACHING OF CHRIST

WHEN we seek to ascertain the actual teaching of our Lord on the subject of marriage we find ourselves confronted with some grave difficulties. It is very important that these should be seriously considered, for they disallow many natural and attractive misconceptions. There are, then, three broad conditions which determine our knowledge of the mind of Christ on this and other matters.

In the first place we can never wisely or rightly forget that we possess the tradition of the Master's teaching in documents which, though generally trustworthy, are not actually contemporary or first-hand authorities. Christ Himself wrote nothing: two of our four Gospels are admittedly not the work of Apostles; and neither of the others is certainly

Apostolic. We are fairly justified by the facts disclosed and appraised by critical scholars in believing that the account of the life and teaching of our Lord, and the broad lines of His character, are faithfully given in the four Gospels, but our reasonable assurance does not extend to an exact knowledge of the very words of Christ, nor are we able to escape from a large measure of uncertainty as to His actual teaching.

Thus it happens that we are rarely able to adduce the supreme authority of Christ in the discussion of any question of practical morals. The principles of His religion are clearly stated, and therefore we have in the Gospels the postulates of a sound handling of practical questions, but direct pronouncements on practical problems are few, if indeed it can be said that any exist at all, and we abuse the Gospels to our own hurt if we treat them as legislative codes, or as casuistical treatises. Even in the crucial matter of marriage we shall find that our Lord's recorded teaching is

not free from ambiguity. Either the different statements of the Evangelists are not wholly harmonious, or the text of the crucial passages is uncertain, or, finally, the passages themselves are capable of more than one rendering.

In the next place we have to remember that we are living under circumstances extraordinarily remote from those which conditioned the teachings of Christ—so far, I mean, as His teachings must be supposed so to have been conditioned. We cannot fairly separate His pronouncements on marriage from the situation, social and political, which originally called them forth. Take for example Christ's prohibition of divorce, either absolute, if we accept the version of His words given by St. Mark and St. Luke, or with the single exception of adultery if we prefer that given by St. Matthew. Can we simply carry over the words of the Gospel without explanation to the conditions of our own time? "There is danger of making marriage too difficult," said a very wise Christian bishop—Phillips Brooks. His

biographer extracts from the Bishop's note-book the following suggestive passage, which will serve to illustrate the present argument:

"The 'putting away' which Christ condemned was not the equivalent of our present divorce system; it was purely arbitrary, with no trial or opportunity of defence, the man's right only, while the woman had no corresponding power; it was originally for some cause which includes more than adultery, and it allowed re-marriage (Deut. xxiv. 2). Our divorce is a different matter, involving different necessities. The Mosaic institution which Christ modified had reference to inheritance and preservation of purity of descent. There are strong objections to using the Holy Communion for enforcing a position on this subject, especially in the matter of its administration to the dying, in view of the perfect conscience with which divorces are obtained. It would be more consistent to deny divorce altogether. But the whole question is not a clear one, in view of the fact that Christian nations have so differed regarding it, and so differ still. Circumstances have changed since the time of Christ. The spirit is more than the letter." *

Without question there is much force in such contentions. The existence of a careful and legal regulation of marriage in all its bearings is a fact which bears plainly on the practical application of Christ's words, and

* See "Life of Phillips Brooks," vol. ii. p. 720.

especially since this regulation has been the work of the Christian State. In view of our Lord's doctrine about the State, and of His recognition of the legitimacy of the Mosaic legislation as a necessary concession to the hardness of men's hearts, it is much to be considered whether His declarations about marriage ought to be applied without many modifications to the circumstances of the modern world.

A representative example of the teaching which I deprecate as implying an indefensible handling of the Gospel is provided in Bishop Gore's deservedly popular exposition of the Sermon on the Mount. The passage runs thus:

"Our Lord proclaimed, as a prominent law of His new kingdom, the indissolubility of marriage. And for us as Christians it is perfectly plain that not all the parliaments or kings on earth can alter the law of our Lord. And if any ministers of Christ, or persons claiming to represent the Church of Christ, ever dare to let the commandment of men, in however high places, override the law of Christ, they are simply behaving in a way which brings them under the threat which our Lord so solemnly uttered: 'Whosoever shall be ashamed of me

and of my words in this adulterous and sinful generation, the Son of Man also shall be ashamed of him, when He cometh in the glory of His Father with the holy angels.' Beyond all question for the Church, and for all who desire to call themselves Christians, it is absolutely out of the question to regard those as married who, having been divorced, have been married again contrary to the law of Christ, during the lifetime of their former partner. It is quite true that this indissolubility of marriage may press hardly upon individuals in exceptional cases. But so does every law which is for the welfare of mankind in general: and, press it hardly or softly, the words of our Lord are quite unmistakable. He who refused to legislate on so many subjects legislated on this, and the simple question arises whether we prefer the authority of Christ to any other authority whatever." *

The attentive reader will detect a fallacy in the different senses of the crucial word "law." The "law" of Christ's kingdom is a moral principle; the "law" which "the parliaments or kings on earth" can alone "alter" is a statute of the realm. They do not "override the law of Christ" when, following the example of Moses, which Christ certainly sanctioned, they recognise "the hardness of men's hearts" as a reason for permitting in

* Page 69 f.

the mixed society for which they legislate a lower standard of marital obligation than the ideal. The legitimacy of their action must depend on the adequacy of their plea of expediency. They do not claim to legislate for Christians as such, but for citizens, who may, or may not, be Christians. Re-marriage after divorce is so far from being disallowed by Christ that, in the only case of divorce which He contemplates, it must be assumed as permissible, since divorce apart from liberty of re-marriage was unknown to His contemporaries. Moreover, it is an abuse of language, unintentional but none the less grave, to apply to Christ's teaching in the Sermon on the Mount the name and character of "legislation" in the political sense of the word. Bishop Gore himself recognises this earlier in his book when he says that the Sermon on the Mount "teaches, not by negative enactments or by literal enactments at all, but by principles, positive and weighty principles." *

* Page 8.

In the third place, Christ clearly taught that the complete content of His revelation would be gradually perceived as time went on. His promise of the Spirit of Truth carried with it an implicit warning against premature conclusions as to the practical meaning of His religion. There would be, He said, within the society of believers a divine influence of guidance and illumination, which would from age to age interpret experience and apply the principles of the everlasting Gospel to the novel circumstances of human life. If we would understand rightly the law of marriage according to Christ we cannot limit ourselves to a few texts from the Gospels, however important these may be, but we must take into our reckoning the whole movement of Christian thought during the many centuries of the existence of Christianity, and in the power of the Holy Spirit, present still as always before with Christian men, determine what shall be the actual obligation of discipleship here and now.

Bearing these important considerations in mind we may proceed to collect the evidence of the New Testament as to the doctrine of our Lord on the subject of marriage. How far, if at all, did He modify the current practice? In the Sermon on the Mount our Lord sets in contrast the laws of His spiritual kingdom and the actual system of the Jews. He was not legislating in the true sense of the term, but rather laying down broad principles of action. And this He did positively by stating in its extremest form the action which the right principle would require, if it were logically applied without hindrance or mitigation: and negatively, by showing what the wrong principle implied even in its least important applications. The whole passage treating of the intercourse of the sexes runs as follows:

“ Ye have heard that it was said, Thou shalt not commit adultery: but I say unto you, that every one that looketh on a woman to lust after her hath committed adultery with her already in his heart. . . . It was also said, Whosoever shall put away his wife, let him give

her a writing of divorcement: but I say unto you, that every one that putteth away his wife, saving for the cause of fornication, maketh her an adulteress; and whosoever shall marry her when she is put away committeth adultery." *

Later in the Gospel we have this declaration repeated in an extremely interesting connection. The narrative must be read as a whole:

" And there came unto him Pharisees, tempting him, and saying, Is it lawful for a man to put away his wife for every cause? And he answered and said, Have ye not read, that he which made them from the beginning made them male and female, and said, For this cause shall a man leave his father and mother and shall cleave to his wife; and the twain shall become one flesh? so that they are no more twain, but one flesh. What therefore God hath joined together let not man put asunder. They say unto him, Why then did Moses command to give a bill of divorcement, and to put her away? He saith unto them, Moses for your hardness of heart suffered you to put away your wives: but from the beginning it hath not been so. And I say unto you, Whosoever shall put away his wife, except for fornication, and shall marry another, committeth adultery: and he that marrieth her when she is put away committeth adultery. The disciples say unto him, If the case of the man is so with his wife, it is not expedient to marry. But he said unto them, All men cannot receive this saying, but they to whom it is given. For

* St. Matthew v. 27, 28, 31, 32.

there are eunuchs, which were so born from their mother's womb: and there are eunuchs, which were made eunuchs by men: and there are eunuchs, which made themselves eunuchs for the kingdom of Heaven's sake. He that is able to receive it, let him receive it." *

In the Gospel according to St. Mark this narrative is somewhat differently rendered. Our Lord's condemnation of divorce is represented as an answer to the questioning of His disciples "in the house," and the exception in the case of adultery is omitted. The Evangelist appears to have added an explanatory extension of our Lord's words for the benefit of Roman readers, among whom it was permitted for the wife to divorce the husband, a franchise which the Jews did not allow.

"He saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her: and if she herself shall put away her husband, and marry another, she committeth adultery." †

In St. Luke's Gospel we have the same absolute prohibition of divorce repeated, but in

* St. Matthew xix. 3-12.

† St. Mark x. 11.

a context which seems doubtful. The passage runs thus:

“ Every one that putteth away his wife, and marrieth another, committeth adultery: and he that marrieth one that is put away from a husband committeth adultery.” *

In the fourth Gospel there is the touching history of the woman taken in adultery, whom Christ did not condemn, but this carries no clear indication of His mind on the subject of marriage. The point of the story is the unseemliness of moral severity in those who are themselves immoral.

Finally, in the Epistle to the Corinthians St. Paul quotes a commandment of the Lord to the following effect:

“ But unto the married I give charge, yea not I, but the Lord, that the wife depart not from her husband (but and if she depart, let her remain unmarried, or else be reconciled to her husband); and that the husband leave not his wife.” †

When we consider carefully these passages it is hard to avoid the conclusion, that they all relate to the same incident, and are repetitions

* St. Luke xvi. 18.

† 1 Corinthians vii. 10, 11.

more or less exact of one pronouncement. Our Lord's words are to be interpreted in connection with the challenge of the Pharisees which called them forth. This challenge certainly appears to be most correctly stated in the Gospel according to St. Matthew. "Is it lawful for a man to put away his wife for every cause?" The judgment of Christ was demanded on the question which at the moment divided the religious world of Israel. The rival schools of Hillel and Shammai contended as to the interpretation of the Deuteronomic law of divorce. The text of that law was ambiguous.

"When a man taketh a wife, and marrieth her, then it shall be, if she find no favour in his eyes, because he hath found some unseemly thing in her, that he shall write her a bill of divorcement, and give it into her hand, and send her out of his house. And when she is departed out of his house, she may go and be another man's wife." *

The question in debate was the measure of liberty of divorce granted in these words of the Law. The school of Hillel explained them

* Deuteronomy xxiv. 1, 2.

to give an unlimited liberty to the husband. He was himself judge of what should constitute an adequate justification for divorce. He might, in the phrase of our Lord's questioners, "put away his wife for every cause." The opposing school of Shammai took a stricter and worthier view. The words could not possibly carry so scandalous a sense. They must be supposed to restrict the causes of lawful divorce to one—the act of adultery.

Our Lord decides on the question of interpretation in favour of the laxer school; on the main question He emphatically endorses the view of the stricter moralists, who had read into the statute the nobler teaching of the prophets. Challenged by the Pharisees how He could reconcile these decisions, He declared the essentially contingent, and therefore transitory, character of the Mosaic legislation, and pointed to the true nature of the marriage union as declared in the record of Creation. Marriage is indissoluble save for one fact which destroys its presupposition. Divorce for any

other cause than adultery has no moral validity however complete may be its legal sanction. To put away a wife for a trivial cause was to "make her an adulteress," that is, to degrade her into that category and treat her accordingly. This extreme injustice, however, could not alter the fact. Wife she continued to be, though the bill of divorcement were in her hand, and whosoever married her, thus unrighteously divorced, was really as much guilty of adultery as if he had taken her from her husband's house.

Now I think, when Christ's words are thus held strictly to their connection with the historic situation in which they were uttered, the absence of the saving clause in St. Mark's version of His speech becomes comparatively unimportant. There was no question anywhere of a total prohibition of divorce. Both the rival schools accepted the validity of the Deuteronomic rule, and only differed about the range of its application. In the actual expressions ascribed to Christ by St. Mark there

seems implied an allusion to the injustice implied in such frivolous divorces as the Jews admitted. "Whosoever shall put away his wife, and marry another, committeth adultery against her," that is, with respect to his discarded partner, since she is really still his wife.

I cannot doubt that He referred, and that His words were understood to refer, to such frivolous divorces as were common among the Jews and directly in debate between the Rabbinic schools. He proclaimed the indissoluble character of the marriage union, that is, its indissolubleness as against the provisions of human law, but He emphasised the gravity of that sin which, by its own mere force, cancelled and destroyed the natural union. "Precisely as divorce does not break the marriage tie, adultery does break it." The very reason why divorce for any other cause is invalid morally justifies, nay requires, divorce in the case of adultery.

Accordingly I am constrained to conclude

that the words of Christ are unduly pressed when it is said that "He gave no sanction to any divorce which was supposed to carry with it a right to marry again, before at least death had severed the bond." He taught rather that adultery destroyed the marriage bond. The ancients knew no divorce which did not carry the right to marry again, and Christ, in disallowing the re-marriage of those who were divorced for any cause save for the cause of adultery, cannot reasonably be supposed to prohibit the re-marriage of the divorced in that special case.

The late Provost Salmon speaks with decision on this point:

"It is contended that in this case [of the wife's adultery] a man may put away his wife, that is to say, may separate her from bed and board, but still consider her so much his wife as to be incapable of marriage with another. But I do not know of any evidence that in our Lord's time there had been invented this method of acknowledging a woman to be a wife, but treating her as if she were not. If divorce to this extent is permissible, and if we are not to interpret the limitation in Matthew as putting a distinction between adultery and other causes for separation, the law of Deuteronomy

practically remains in force. A man in whose eyes his wife, for any cause, does not find favour, may deal with her as the husband of an adulterous wife is permitted to do; and, provided he does not marry again, need not regard his vow to love his wife, comfort her, honour and keep her." *

Commenting on the passages Mark x. 3-9 and Matt. xix. 4-8 he makes this just observation:

"It is clear from the Old Testament quotation that the breach of the marriage does not so much consist in the marrying again as in the separation by man of those whom God hath joined together: consequently the sin is as much committed when man ordains a separation from bed and board as when a new marriage is sanctioned." †

The basis on which Christ makes the exception is nothing less than the destructive character of the act of adultery. Divorce was but the legal declaration of an accomplished fact; the marriage bond had already been dissolved by the act of infidelity, the sentence of a human tribunal did but certify the fact.

It has been objected to this view that an

* See "The Human Element in the Gospels," p. 129.

† See *Ibid.*, p. 392.

innocent person might cease to be married without knowing it, and that if an adulterous partner be forgiven there should properly be a fresh marriage; but these objections are not very serious. Marriage is a legal contract as well as a natural union; the latter may be destroyed while the former remains unaffected. Only the law can undo the work of the law. Divorce is a legal act dissolving marriage; but marriage is far more than a legal act; it is a natural union, and the religious validity of the legal act depends on its relation to the natural union.

It is true that the natural union may be dissolved without the knowledge of the innocent partner; but that is precisely the reason why the prophets and the Christian Church emphasise the religious aspect of marriage. The All-Seeing is a witness of all marriages, and He watches over the fidelity of those whose union He has ordained. Human law must follow, so far as it can, the lines of moral fact. The State ought not to uphold a covenant which

has lost validity, where alone it could be valid, *in foro conscientiae*. It seems to follow that no Christian can rightly condone adultery, for that would be to acquiesce in a monstrous association of the nature of polygamy.

In the case of adultery, discovered, repented of and forgiven, it must be assumed that a new marriage has really taken place, though of course no fresh legal ceremony is requisite, since the original contract has not been cancelled by divorce. The essence of marriage is free consent of the parties: that consent is abrogated when an adulterous union is formed: but the act of renouncing the sinful connection on the one side, and of forgiving the injury on the other, amounts on both sides to a fresh act of consent, that is, to a fresh marriage.

The reason why an adulterer should be refused the permission legally to marry, which is rightly allowed to the innocent party, lies, presumably, not in the region of Christian morality so much as in that of legal principle.

It is a sound rule of law that no man shall profit by his own crime, and that rule appears to be violated when the adulterer is enabled to gain by his offence the very freedom which he desires. The French law of divorce in this respect appears sounder than our own. "There is this limitation on the power of re-marriage of divorced persons, that the party to the marriage against whom the decree has been pronounced is not allowed to marry the person with whom his or her guilt has been established."

The direct teaching of Christ, then, as preserved in the Gospels, does not carry us beyond this point; and so far, save of course for the supreme authority which He, and He alone, could add to moral teaching, Christ does not seem to carry the doctrine of marriage beyond the point reached by the prophet Malachi. The inference seems to be equally clear and important.

Just as in the case of the other human relationships the mind of Christ was to be

slowly revealed to the conscience and reason of the Church, as the Holy Spirit interpreted experience in the light of the principles of the Gospel, so it was to be in the case of this primary and sacred relationship of the sexes. Indeed, to the reflective student of the history of Christendom it will necessarily occur that the indirect consequences of Christ's Gospel have been far more powerful influences for good on human society than His precise directions. Let anyone consider the effect on the doctrine and practice of Christian marriage which has come from four circumstances of the revelation of God in Christ.

I.—The general character of the life of Christ as plainly and confessedly normal. Ascetic contempt of marriage very early stained Christian thought and cast deep shadows over Christian life, but that baleful temper could find no support in the teaching or example of the divine Lord. His contemporaries were perplexed, and even scandalised by the ordinary aspect of His life. It cannot

be a mere accident that the "beginning of His signs" was made at a marriage in Cana of Galilee. The Prayer Book justly infers the dignity and pureness of marriage from the fact that "Christ adorned and beautified with His presence" that "holy estate."

Jews in the first century, like Christians in later times, and perhaps like the "natural man" at all times, expected an ascetic ordering of life to mark a great religious teacher; but Christ disappointed this expectation. "The Son of Man came eating and drinking" was His own description of His life. In view of the fact that the sub-Apostolic Church was invaded by a powerful wave of ascetic sentiment, which has left clear tokens of its action on the sacred writings, and colours all the literature of the early centuries, it must be allowed, to indicate the overmastering impression made by the Lord's life and teaching on His contemporaries, that the Gospels preserve a record of both, which is so wonderfully free from ascetic tendencies.

Historically, asceticism is one of the two grand enemies of the female sex; the other is sensuality, and these two, if so familiar a phrase may be allowed, play into one another's hands. Asceticism belittles what sensuality degrades. When, at a somewhat later stage of Christian history, the theologians of the Church elaborated the doctrine of the Incarnation, this consequence was seen to follow—that all truly human relationships receive a divine authentication and an eternal significance. Marriage as the human relationship *par excellence* was more than any other exalted by this fact.

II.—For, and this must be counted a distinct cause, the historic Incarnation was effected by the means of a natural birth. “When the fullness of the time came, God sent forth His Son, born of a woman.” The Church was early called to emphasise the moral importance of this fact, and the presence in the Apostles' Creed of an explicit declaration of belief in the birth of Christ from a human mother must be regarded

as a definite repudiation of every version of Christianity, which, as was the case with that of the followers of Marcion in the second century, against whom perhaps that clause in the Creed was specifically directed, cuts the direct connection between the Incarnate and the human race by postulating for Him some non-human mode of terrestrial existence. Always the tradition of the Christian Church holds together the mother and the divine Child; and whosoever worships the one cannot but reverence the other.

III.—It is in accordance with this exaltation of woman in her most sublime function of motherhood that the Gospel gives a large and honourable place to women and children. Significantly in the sacred narrative there stand together Christ's declaration about the essential indissolubleness of marriage and His blessing of the children, for these are the normal effect and the fairest grace of the sexual relationship as guarded and crowned in the Christian home. Christ's fondness for

children was hardly less perplexing to His religious contemporaries than His respectful treatment of women. His disciples, we read, " marvelled that He was speaking with a woman " when they found Him in converse with the woman of Samaria by the side of Jacob's well; and they moved Him to " indignation " by " rebuking " the Jewish mothers who, with a true insight into His mind, " brought unto Him little children that He should touch them."

IV.—Christ's doctrine of purity as something not to be narrowed down to specific acts, but rather to be conceived of as a chaste and reverent spirit inhabiting the mind, and holding under control the very thoughts and intents of the heart, necessarily tended, wherever it was in any measure sincerely accepted, to purify and exalt the relationship of the sexes. Far more powerful than specific regulations was that lofty declaration of the Sermon on the Mount:

" Ye have heard that it was said, Thou shalt not commit adultery: But I say unto you, that every one that

looketh on a woman to lust after her hath committed adultery with her already in his heart."

Is it not plain that marriage, contracted under such a conception of purity, has a security and a greatness, which are quite absent from so mechanical a notion of its obligation as that which breathes through the Mosaic rules?

The teaching of Christ, then, is rather implicit in the Gospel than specifically set down in pronouncements. He adopts the prophetic reading of the Jewish law, and leaves His disciples to correlate that reading with the knowledge of God which they received from His example and His teachings. The Christian doctrine of marriage must give free expression to the "mind of Christ" as unfolded in the Gospel; and just in measure as the Gospel is truly appreciated will that doctrine be satisfying and permanent.

CHAPTER III

THE TEACHING OF ST. PAUL

IF it be important in studying the Gospels to remember that they are neither codes of law nor casuistic treatises, it is hardly less important in reading the Epistles to remember that they are always occasional documents called forth by special circumstances, and only rightly understood when those circumstances are clearly kept in mind. In some sense we may say of the Apostolic writings that they were designed to serve the purposes of legal codes and casuistic manuals in the churches to which they were addressed; but, even so, legislation and casuistry are, in the nature of things, contingent and provisional. Neither, therefore, can rightly be clothed with the attributes of unalterableness and perpetual obligation. It is mere matter of fact that

much of the Apostolic legislation on practical matters has become obsolete, and accordingly we cannot evade the question, whenever appeal is made to Apostolic authority in discussions of practical problems, whether the rulings advanced are really relevant to the cases in debate.

In all questions relating to the intercourse of the sexes there is *prima facie* a large probability that Apostolic rulings will be irrelevant to modern difficulties, and this for two reasons, which lie on the surface of the New Testament. The apostles were Jews of the first century, and they assumed the prevailing Jewish notions with respect to the relative position of the sexes: the natural inequality of men and women coloured their thought, even when they had risen to the Christian doctrine, that such natural inequality had properly disappeared in the Church. This was one reason; the strength of which will be at once apparent to every reader of the curious passage in which St. Paul legislates for

the conduct of women in the assemblies for worship.

The other reason lies in the special circumstances of the Apostolic converts. Pagan presuppositions in their minds, pagan tradition governing their action, determined necessarily the specific form of the admonitions by which the apostles endeavoured to correct both, and to bring their spiritual children into worthy habits of thought and life. Of St. Paul it has been said with substantial truth that he "did not in any way go beyond the conception of woman's position which at bottom belonged to the whole ancient world," and of the first Epistle to the Corinthians, which is our chief authority for learning what the apostle's teaching with respect to marriage actually was, it has been justly observed that "in its main portions it is chiefly a history of the difficulties which the Gospel had to contend with on heathen soil."*

It is indeed the case that within the life of

* See Weizsäcker, "Apostolic Age," vol. i. p. 339, vol. ii. p. 384.

Israel the general doctrine of the natural inferiority of women had been mitigated, and in great part corrected, by the teaching, moral and theological, of the prophets, and we have seen that our Saviour emphatically endorsed the prophetic view of marriage; still, it cannot be denied that St. Paul reveals in many places a mental attitude on the subject of sexual relationship, which can only be explained by the Rabbinic training which he had received at the feet of Gamaliel.

There is, however, clear indication that his views on this, as on other subjects, were developing under the influence of the Holy Spirit, interpreting to him his richly-varied experiences, and leading him to realise more thoroughly, as time passed, the practical consequences of his Christian principles. The noble passage in the Epistle to the Ephesians carries the theory of marriage far beyond the point at which it stands in the Epistle to the Corinthians, and we shall be justified, by all we know of the great apostle's mental history,

in attaching far greater importance to those declarations which are definitely, from the point of view of his time, novel than to those which do but echo the current notions of the schools.

If we are disposed to hesitate as to the legitimacy of thus distinguishing between apostolic pronouncements, and attaching superior importance to those which succeed in commending themselves to our own perceptions of spiritual fitness, we may remember that St. Paul himself bids us thus distinguish, and, specifically with reference to his discussion of sexual questions, makes his appeal to the Christian conscience.

“Now concerning virgins I have no commandment of the Lord: but I give my judgment, as one that hath obtained mercy of the Lord to be faithful. I think therefore that this is good by reason of the present distress, namely, that it is good for a man to be as he is.” *

In these words there is disclosed another determining factor of Apostolic morality. “The present distress” is an allusion to the

* 1 Corinthians vii. 25, 26.

end of the age, which was generally believed by Christians in that time to be impending, and was supposed to bring with it a period of great calamity. This expectation tended to strengthen the wave of asceticism, which had already begun to make its appearance among Christians, and has left very distinct impressions on the Apostolic writings. If celibacy is exalted, and marriage discouraged, we must bear in mind the obvious practical considerations which justified both counsels, on the supposition that the whole system of human life was on the brink of the final catastrophe.

Before we can accept the rulings of the Apostolic age as obligatory on our own, we must be sure that they do not reflect the distinctive and long-discarded beliefs of that age as to the end of the world. It will be apparent that a mere quoting of texts will not serve the turn of any serious inquirer into the permanent teaching of St. Paul; there is a process of careful examination to be carried

through before the exact value of any specific declaration is fixed. As with the Lord Himself, so with His apostles; nothing is in such wise delivered to the Church as to settle the problems of practical life in advance of their actual emergence in Christian experience. Bearing these considerations in mind we may conveniently gather the teaching of St. Paul under five heads:

- I.—His general attitude towards sexual sin.
- II.—His consistent opposition to asceticism.
- III.—His doctrine with respect to the female sex.
- IV.—His ruling as to divorce.
- V.—His ruling as to mixed marriages.

I.—Every reader of the Pauline Epistles knows that the apostle everywhere manifests a horror and dread of sexual sin. As a devout and spiritually-minded Pharisee he had been taught to regard with deep aversion the moral licentiousness of the Gentile world; and this hereditary zeal for purity had been stimulated

and exalted by his discipleship. His conception of the Gospel as the revelation of the righteousness of God in judgment on sin, and in victory over sin, led him to emphasise the gravity of the prevailing licentiousness. A sufficient indication of his mind is found in the first chapter of the Epistle to the Romans, where he draws a fearful picture of Gentile society as sunken in sexual vices, and with prophetic fervour proclaims the severe retribution of God's vengeance which would surely follow.

As he founded churches in the cities of the Empire he added the character of a pastor to that of an evangelist, and his pastoral activity stands on record in the Epistles. It is clear that at every point he was compelled to do battle with the tradition of sexual licence which prevailed among his converts. In the earliest of his extant epistles he lays down the grand principle that discipleship implied purity. "For God called us not for uncleanness, but in sanctification." *

* 1 Thessalonians iv. 7.

To the Corinthians he insists upon the fatal character of the sins of the flesh as excluding men from entrance into the kingdom of God, as desecrating the "temple of the Holy Ghost," as bringing judgments on the Church, and as being so infectious that nothing but prompt expulsion of the guilty could preserve the moral soundness of the Church. He even applies to irregular sexual unions the words which were designed to describe the union in marriage, and suggests that such impure connections inflict injury on the enduring self, which survives the decay of the physical nature. The emotion with which he writes indicates the strength of his conviction that the very life of Christianity was imperilled by the moral laxity of the Corinthians:

"The body is not for fornication, but for the Lord; and the Lord for the body: and God both raised the Lord, and will raise up us through his power. Know ye not that your bodies are members of Christ? shall I then take away the members of Christ, and make them members of an harlot? God forbid. Or know ye not that he that is joined to an harlot is one body? for, The twain, saith he, shall become one flesh. But he

that is joined unto the Lord is one spirit. Flee fornication. Every sin that a man doeth is without the body; but he that committeth fornication sinneth against his own body. Or know ye not that your body is a temple of the Holy Ghost which is in you, which ye have from God? and ye are not your own; for ye were bought with a price: glorify God therefore in your body." *

It needs not to accumulate quotations, for the salient fact is not in dispute. The insistence of St. Paul on chastity of thought and act as indispensable in the Christian must necessarily determine our general estimate of his teaching about marriage, the relationship which is more than any other affected by the standard of purity which is recognised by the general conscience. Any society which regarded the apostle's writings as inspired Scripture, and made them the authoritative source of moral teaching, could not but rise out of the depravity of ancient paganism and reach a level of domestic purity higher than any imaginable by the men of the time.

II.—To the same effect was St. Paul's consistent opposition to asceticism. It is

* 1 Corinthians vi. 13-20.

indeed not to be denied that the apostle, when he discusses the questions of the Corinthians on marriage and divorce, starts from the assumption that celibacy is to be ranked higher than married life; but he separates his teaching decisively from that of his ascetic contemporaries by giving reasons of a purely practical character for this exaltation of the single life, and by insisting on the lawfulness and the purity of marriage. He seems to regard celibacy and marriage as two specific states of the Christian life, equally requiring a vocation, equally pure, but under all the circumstances of the time, with persecution always threatening, the Lord's work always demanding a complete concentration of thought and energy from those who were charged with it, and the Lord's return in judgment and victory always at hand, not equally expedient and befitting. He quotes a passage from the Apocryphal Second Book of Esdras, and applies it to the existing situation:

“ But this I say, brethren, the time is shortened, that

henceforth both those that have wives may be as though they had none; and those that weep, as though they wept not; and those that rejoice, as though they rejoiced not; and those that buy, as though they possessed not; and those that use the world as not abusing it: for the fashion of this world passeth away. But I would have you to be free from cares. He that is unmarried is careful for the things of the Lord, how he may please the Lord: but he that is married is careful for the things of the world, how he may please his wife. And there is a difference also between the wife and the virgin. She that is unmarried is careful for the things of the Lord, that she may be holy both in body and spirit; but she that is married is careful for the things of the world, how she may please her husband. And this I say for your own profit; not that I may cast a snare upon you, but for that which is seemly, and that ye may attend upon the Lord without distraction." *

We must remember that St. Paul could hardly have realised the possibility of a wife being competent to strengthen and not enfeeble her husband in difficulty and affliction. Himself unmarried, he formed his notion of married life from observation solely, and the testimony thus rendered would not encourage a very exalted opinion of the wife as the comrade and friend of her husband.

* 1 Corinthians vii. 29-35.

“The Greek girl, brought up in ignorance and seclusion, was not fitted to be the comrade of her husband, nor could her husband, in most cases, either truly love her or know anything of her character before marriage. The great Greek plays leave love as a motive for marriage just as much out of sight as St. Paul does. So, also, we must remember that a Corinthian Christian would scarcely ever have any real security that the same course of action would please the Lord and please his wife. St. Paul spoke of things as he found them.” *

When we add that the arguments based on the probability of persecution, and on the certainty of the speedy coming of Christ, have been disallowed by experience, it would seem that little or nothing can be concluded for the guidance of the modern Church from the apostle's evident preference for the single life. Moreover, his language in the later Epistle to the Ephesians places marriage on so exalted a plane that it is not possible to imagine any higher, and we may conclude, if we will, that experience tended to correct whatever there was of error in the earlier opinions.

Asceticism was one aspect of a form of thought which was widely spread in the world

* See Goudge, “1 Corinthians,” p. 64.

at the time when Christianity came into existence, and within Christianity speedily came to exercise a potent and most unhappy influence. In spite of the fact that asceticism ran directly counter to the whole genius and habit of Judaism, it appears certain that among the Jews there were those who indulged in the speculations out of which ascetic practices were developed. In the Epistle to the Colossians the apostle is evidently concerned with controverting teachings which stood in connection with ascetic doctrines of conduct.

Bishop Lightfoot traces the origin of these doctrines to a Jewish source, and regards the Essenes as the original representatives of the asceticism which has worked such havoc in the Church. He gives the following account of the Essene attitude towards marriage:

“ To the legalism of the Pharisee, the Essene added an asceticism, which was peculiarly his own, and which in many respects contradicted the tenets of the other sect. The honourable, and even exaggerated, estimate of marriage, which was characteristic of the Jew, and of the Pharisee as the typical Jew, found no favour with the

Essene. Marriage was to him an abomination. Those Essenes who lived together as members of an order, and in whom the principles of the sect were carried to their logical consequences, eschewed it altogether. To secure the continuance of their brotherhood they adopted children, whom they brought up in the doctrines and practices of the community. There were others however who took a different view. They accepted marriage, as necessary for the preservation of the race. Yet even with them it seems to have been regarded only as an inevitable evil. They fenced it off by stringent rules, demanding a three years' probation and enjoining various purificatory rites. The conception of marriage, as quickening and educating the affections and thus exalting and refining human life, was wholly foreign to their minds. Woman was a mere instrument of temptation in their eyes, deceitful, faithless, selfish, jealous, misled and misleading by her passions." *

The theological speculations of the Essenes appear to have conformed to the general type which, at a somewhat later period, became known as Gnostic, and their opinions tended to find practical expression in ascetic severity.

"If," concludes the Bishop, "the notices relating to these points do not always explain themselves, yet read in the light of the heresies of the Apostolic age, and in that of subsequent Judæo-Christianity, their bearing seems to be distinct enough; so that we should not be

* "Colossians," pp. 85, 86.

far wrong, if we were to designate Essenism as Gnostic Judaism." *

At Colossae the Gnostic tendency revealed itself in the insistence on minute prohibitions, limiting the liberty of the Christian at every turn in his use of things in themselves lawful, and the object of these disciplinary rules was "to check the indulgence of the flesh," but this object was not attained.

"If ye died with Christ from the rudiments of the world, why, as though living in the world, do ye subject yourselves to ordinances, Handle not, nor taste, nor touch (all which things are to perish with the using) after the precepts and doctrines of men? Which things have indeed a show of wisdom in will-worship, and humility, and severity to the body; but are not of any value against the indulgence of the flesh." †

In the pastoral Epistles "forbidding to marry" is expressly included among the "seducing spirits and doctrines of devils" which will mark the apostates "in later times," and when we reflect on the long train of degrading consequences which have flowed from Christian asceticism, and notably

* See "Colossians," p. 93.

† Colossians ii. 20-23.

from that exaltation of celibacy, as intrinsically purer than marriage, which still disturbs the practice, and confuses the thought, of Christendom, it is impossible to question the truth of the melancholy forecast.

It is difficult to over-estimate the importance of the fact that, at the start of its history, the Catholic Church was committed to the championship of marriage. The full significance of that championship is only realised when it is set in connection with the passion for purity which, as we have shown, marked the teaching of the apostles. In both respects the healthy tradition of the prophets, confirmed by the supreme and deliberate sanction of the Lord, came into conflict with powerful tendencies of the age, and rescued the new religion from the most perilous and the most plausible of perversions.

III.—St. Paul's teaching with respect to women was clearly determined by influences of widely differing kinds. First of all,

unquestionably, we must place the training he had received in the Rabbinic schools of Jerusalem. Next, we must take account of the modification, to which that training necessarily was subjected, from the mere circumstance that he had become a Christian, and as such had to correlate his old beliefs with his new discipleship. Then we have to give a great place to his personal experience of Christian women, such as were, if with St. Chrysostom we so read the name, Junia, who was accounted "of note among the apostles," and Phoebe, the trusted deaconess of Cenchreæ, and the ladies, Euodia and Syntyche, who were evidently the leading members of the Philippian Church, and Priscilla, who had been the teacher in the faith of his eloquent friend, Apollos.

Finally, we have to allow for his pastoral experience, which brought home to him the special risks which attached to feminine action in the churches, and the necessity of taking effectual measures to protect modesty against

enthusiasm. These different influences combined in the apostle's teaching, but they operated with varying degrees of power at different times in his career; and, accordingly, it is easy to fail in doing justice to his real views.

Perhaps the most characteristic and, for our present purpose, the most luminous utterance is that which deals with the practical question of female conduct in the public assemblies. The Rabbunist, the Christian, the pastor, the statesman are all represented in this curious passage:

“ Now I praise you that ye remember me in all things, and hold fast the traditions, even as I delivered them to you. But I would have you know, that the head of every man is Christ; and the head of the woman is the man; and the head of Christ is God. Every man praying or prophesying, having his head covered, dishonoureth his head. But every woman praying or prophesying with her head unveiled dishonoureth her head: for it is one and the same thing as if she were shaven. For if a woman is not veiled, let her also be shorn: but if it is a shame to a woman to be shorn or shaven, let her be veiled. For a man indeed ought not to have his head veiled, forasmuch as he is the image and glory of God: but the woman is the glory of the man.

For the man is not of the woman; but the woman of the man: for neither was the man created for the woman; but the woman for the man: for this cause ought the woman to have a sign of authority on her head, because of the angels. Howbeit neither is the woman without the man, nor the man without the woman, in the Lord. For as the woman is of the man, so is the man also by the woman; but all things are of God. Judge ye in yourselves: is it seemly that a woman pray unto God unveiled? Doth not even nature itself teach you, that, if a man have long hair it is a dishonour to him? But if a woman have long hair, it is a glory to her: for her hair is given her for a covering. But if any man seemeth to be contentious, we have no such custom, neither the churches of God." *

It is characteristic of St. Paul to base even the seemingly most trivial of his practical counsels on the largest principles, so here, when he finds it necessary to regulate the procedure of Christian women in the congregation, he brings in the first principles of religion.

The natural order in which woman is subject to man is connected with the Christian doctrine of the Incarnation, that he may hold together the fundamental equality of spiritual status,

* I Corinthians xi. 2-16.

which the Gospel declared, and the subordination of the female sex, which the circumstances of the time rendered imperative, in the most evident interest of the Christian character. He appeals to the historic fact, as he supposed, that woman was created out of man, and to the divine purpose so disclosed, viz., that woman should be a help meet for man. He declares the natural and the religious interdependence of the sexes. He appeals to the general sense of decency, and insists on recognising it as the expression of a divine law. All the while he keeps steadily in view the actual situation of the Church in Corinth.

The Jews were wont to pray covered, as well men as women; the Greeks prayed with bare heads. Corinth was a notorious centre of sexual vice, and of all places there was none in which any relaxation of traditional discipline could be permitted with greater risk to female chastity. The apostle makes a new rule to meet the situation. Men shall follow the Greek practice, women the Jewish; and the

rule shall stand on a basis of fundamental doctrine. Subordination of rank and variety of function shall be shown to be consistent with, nay inseparable from, the Christian doctrine of spiritual equality.

St. Paul connects the subordination of wife to husband in the union of marriage with the subordination of Christ to God in the mystery of the Incarnation. The connection carried the assurance that whatever Rabbinic prejudices clouded his understanding as to the full practical significance of the equality in Christ, which the Gospel taught, were passing away.

Just as the prophetic association of monogamy with monotheism compelled a lofty doctrine of marriage, so the association of Christian marriage with the mystic union betwixt Christ and the Church inspired a sublime version of the relationship of husband and wife. Obedience implied protection; power was linked with sacrifice. Subordination was exalted by love.

Authority was conditioned and interpreted by service.

“Wives, be in subjection unto your own husbands, as unto the Lord. For the husband is the head of the wife, as Christ also is the head of the church, being himself the saviour of the body. But as the church is subject to Christ, so let the wives also be to their husbands in everything. Husbands, love your wives, even as Christ also loved the church, and gave himself up for it; that he might sanctify it, having cleansed it by the washing of water with the word, that he might present the church to himself a glorious church, not having spot or wrinkle or any such thing; but that it should be holy and without blemish. Even so ought husbands also to love their own wives as their own bodies. He that loveth his own wife loveth himself: for no man ever hated his own flesh; but nourisheth and cherisheth it, even as Christ also the church; because we are members of his body. For this cause shall a man leave his father and mother, and shall cleave to his wife; and the twain shall become one flesh. This mystery is great: but I speak in regard of Christ and of the church. Nevertheless do ye also severally love each one his own wife even as himself; and let the wife see that she fear her husband.” *

No current of ascetic sentiment would ever be able to sweep the Christian Church from the sublime doctrine of marriage thus included in the canon of Scripture. Every other

* Ephesians v. 22-33.

passage in the Pauline writings must be harmonised with this crowning exposition.

IV.—The seventh chapter of the first Epistle to the Corinthians contains the apostle's rulings on certain practical matters of difficulty which had been referred to his decision. Of these the most urgent and permanently important was the question of divorce. There are two distinct cases. First, when both husband and wife are Christians: next, when one or other of the parties is an unbeliever. In the former case St. Paul adduces the commandment of Christ prohibiting divorce. In the latter case he makes the validity of the marriage turn on the willingness of the heathen partner to maintain it.

In the event of desertion in consequence of Christianity, he allows divorce and, since no other kind of divorce was known to the ancient, re-marriage. We must suppose the apostle to have in mind the facile and frequent divorces of Greek and Roman life, and the extreme repugnance which in some cases the fact of

Christianity provoked. His ruling is thus expressed:

“But unto the married I give charge, yea not I, but the Lord, that the wife depart not from her husband (but and if she depart, let her remain unmarried, or else be reconciled to her husband); and that the husband leave not his wife. But to the rest say I, not the Lord: If any brother hath an unbelieving wife, and she is content to dwell with him, let him not leave her. And the woman which hath an unbelieving husband, and he is content to dwell with her, let her not leave her husband. For the unbelieving husband is sanctified in the wife, and the unbelieving wife is sanctified in the brother; else were your children unclean; but now are they holy. Yet if the unbelieving departeth, let him depart: the brother or the sister is not under bondage in such cases: but God hath called us in peace. For how knowest thou, O wife, whether thou shalt save thy husband? or how knowest thou, O husband, whether thou shalt save thy wife? Only, as the Lord hath distributed to each man, as God hath called each, so let him walk. And so ordain I in all the churches.” *

It is important to appreciate the broad principles on which the apostle rests his decision. The essence of the natural union is the free mutual consent of the parties; if that condition be not abolished by the conversion of one of them to Christianity, then he

* I Corinthians vii. 10-17.

insists on the validity of the marriage; but so great an event is conversion, nothing less than the new birth of the individual, that a fresh act of consent on the part of the unconverted partner is necessary if the marriage is to be sustained. This act is implied in willingness to dwell with the Christian.

St. Paul does not allow the Corinthian suggestion that the contact with an unbeliever in marriage was itself polluting; rather he advances the profound doctrine that the Christian partner carried a consecration to the husband or the wife, and brought them, not less than the children of a Christian parent, within the sphere of holiness. Nor will he allow the Christian to break up the marriage which the unbeliever is willing to maintain, because to do this would be to run counter to the cardinal truth that natural relationships are confirmed, hallowed and immortalised in Christ. In the case, however, of a refusal to dwell with the Christian, St. Paul regards the marriage as null and void, and grants liberty

of re-marriage to the Christian, on the principle that no natural franchise is forfeited by discipleship.

V.—The same principles governed the apostle's ruling on the subject of fresh mixed marriages. He forbids the widow to re-marry except "in the Lord," which can hardly mean less than a prohibition of marriage with a non-Christian. In the second epistle we have the prohibition stated at length, and with much solemnity:

"Be not unequally yoked with unbelievers: for what fellowship have righteousness and iniquity? or what communion hath light with darkness? and what concord hath Christ with Belial? or what portion hath a believer with an unbeliever? And what agreement hath a temple of God with idols? for we are a temple of the living God." *

This language is general, and both in ancient and in modern times it has been questioned whether it is intended to refer to mixed marriages: St. Augustine says he does not remember a passage in the New Testament forbidding in unambiguous terms Christians

* 2 Corinthians vi. 14-16.

to marry unbelievers. It is certain that mixed marriages have been frequent in all ages since the first; nevertheless, I must needs hold that the apostle's solemn warnings have their first and most evident relevance to the case of the most intimate of all unions, and that mixed marriages must be justified on other grounds than those of the ambiguity of Scripture.

CHAPTER IV

MARRIAGE WITHIN THE CHURCH BEFORE THE REFORMATION

“CHRISTIANITY has had no greater practical effect on the life of mankind than in its belief that marriage is no mere civil contract, but a vow in the sight of God binding both parties by obligations of conscience above and beyond those of civil law.” These words of the late Sir Francis Jeune express the conclusion which many students of the history of Christendom have reached.

Gibbon, for instance, rises above his general attitude of scarcely veiled disdain when Christianity is in question, and allows the excellent effect which Christian doctrine and practice had on the domestic life of Europe. After describing the degradation of marriage among the Romans of the later Republic and

the Empire, he says that "the dignity of marriage was restored by the Christians," and shows that "the Christian princes were the first who specified the just causes of a private divorce." Burke found the worst and guiltiest feature in the French Revolution in its repudiation of the Christian conception of marriage. His fierce language was, perhaps, in this respect hardly excessive:

"Other legislators, knowing that marriage is the origin of all relations, and consequently the first element of all duties, have endeavoured by every art to make it sacred. The Christian religion, by confining it to the pairs, and by rendering that relation indissoluble, has by these two things done more towards the peace, happiness, settlement, and civilisation of the world than by any other part in this whole scheme of Divine wisdom. The direct contrary course has been taken in the synagogue of Antichrist,—I mean in that forge and manufactory of all evil, the sect which predominated in the Constituent Assembly of 1789. Those monsters employed the same or greater industry to desecrate and degrade that state which other legislators have used to render it holy and honourable. By a strange uncalled-for declaration they pronounced that marriage was no better than a common civil contract. . . .

"The practice of divorce, though in some countries permitted, has been discouraged in all. In the East,

polygamy and divorce are in discredit; and the manners correct the laws. In Rome, whilst Rome was in its integrity, the few causes allowed for divorce amounted in effect to a prohibition. They were only three. The arbitrary was totally excluded; and accordingly some hundreds of years passed without a single example of that kind. When manners were corrupted the laws were relaxed; as the latter always follow the former when they are not able to regulate them or to vanquish them. Of this circumstance the legislators of vice and crime were pleased to take notice, as an inducement to adopt their regulation: holding out a hope that the permission would rarely be made use of. They knew the contrary to be true; and they had taken good care that the laws should be well seconded by the manners. Their law of divorce, like all their laws, had not for its object the relief of domestic uneasiness, but the total corruption of all morals, the total disconnection of social life." *

The student of Christian history must be prepared for grave disappointment when he turns from such glowing eulogies of Christianity to seek their justifications in fact. It was only by very slow degrees, and with long intervals of desolating error, that the Christian Church arrived at such a theory and practice with respect to marriage as permits the

* See "Letters on a Regicide Peace," Works, vol. v. p. 312f.

language I have quoted from lawyer, historian and statesman. We have seen already that there is need to guard against the attractive mistake of supposing that the New Testament contains a clear and final determination of the practical problems connected with marriage.

Reading back into the text of the Gospels and the Epistles the conclusions which Christians have reached at the close of nearly two millenniums of experience, and which must assuredly be held to represent the guidance of the Spirit of God, we are able to find in the New Testament the authoritative statements of the Christian law; but when we examine the sacred text as historical students, and trace the effect which those statements have had on the life of Christians, we are perforce led to the conclusion that they were not, and were not understood to be, what we have been accustomed to think.

The Christian religion, indeed, included a conception of human nature, and of human

destiny, which could not but have a cleansing and uplifting effect on society, wherever society admitted its control; and the tradition of the Founder carried into human life, wherever the Christian Church came, an ideal of individual character, and a sublime example of individual conduct, which wonderfully moved and exalted sincere professors of Christianity. These elements of historic Christianity were present and active from the first, and their influence is traceable rather in the creation of a new and higher state of feeling on the subject of sexual relationships, than in the formal legislation of Church or State.

Mr. Lecky has justly observed that "the facts in moral history, which it is at once most important and most difficult to appreciate, are what may be called the facts of feeling. It is," he says, "much easier to show what men did or taught than to realise the state of mind that rendered possible such actions or teachings; and in the case before us"—he writes with reference to the position

of women among the ancients—" we have to deal with a condition of feeling so extremely remote from that of our own day that the difficulty is pre-eminently great."*

The gradual revolution in feeling with respect to sexual relationships is the salient fact of the history, when the effect of Christianity on marriage is discussed. This revolution was effected under the influence of four powerful factors, which in succession dominated Christian thought and practice. These were external to Christianity, but they served the purpose of helping the Church to fashion what we understand by "Christian Marriage."

In their historic order these factors are the following: I. Asceticism; II. The Imperial Codes; III. The German Spirit; IV. The Canon Law. The first stamped on the human conscience an exalted regard for the virtue of chastity. The next emphasised the social

* See "History of European Morals," vol. ii. p. 281, Eleventh Edition.

and legal aspects of marriage. The third created the sentiment of chivalry. The last created the ecclesiastical conception of marriage as a "sacrament." These notions constitute the elements out of which the conception of Christian marriage, as it exists to-day, have been fashioned. Chastity, law, chivalry, the sacramental idea—every one of these is capable of dangerous exaggeration, and in point of fact has been dangerously exaggerated, but none of them can be let slip out of the complete doctrine of marriage. It will be our task to distinguish and appraise these four historical conditions of Christian development.

I.—Asceticism, as we have seen, had already made its presence felt when the New Testament was in process of formation. The apostles themselves were not unaffected by it, although it is true to say that in the main they threw their influence steadily against it; but, with the expansion of Christianity in the corrupt society of the Empire, a strong current

of ascetic sentiment entered the Church and carried all before it.

The philosophic historian may indulge the reflection that the ascetic exaltation of virginity, and corresponding depreciation of all sexual relationships, were necessary phases of the difficult movement out of mere animalism into a worthier conception of the marriage covenant. He will point out the grossness of the current paganism, its inability to conceive of the moral and spiritual aspects of the sexual union, its frightful debasement of the female sex by the practice of concubinage and the facility of divorce. He will emphasise the extraordinary difficulties under which the infant Christian Church laboured in a society penetrated with the habits of sensuality, and built up on the debasing foundation of slavery. He will descend to details, and ask how a steady insistence on monogamy and marital faithfulness could have been possible in the case of communities largely composed of slaves, among whom the males were many

times more numerous than the females. In view of the entire situation he may conclude that the vehement exaltation of virginity by the Christian Church was an indispensable means of establishing in the minds of men the notion of chastity.

These are reasonable and clearly relevant reflections when the question under consideration is the genesis of the doctrine of Christian marriage, but they are not available for those exponents of Christianity who attribute binding force to the precedents and enactments of the undivided Church. Only by distinguishing clearly between the Christian religion and the society, through which it has found expression in human life, can we admit the excuses of history for the errors of the Church. It will be worth while to quote the carefully balanced language of Mr. Lecky on this subject:

“But the services rendered by the ascetics in imprinting on the minds of men a profound and enduring conviction of the importance of chastity, though extremely great, were seriously counterbalanced by their noxious influence upon marriage. Two or three beauti-

ful descriptions of this institution have been culled out of the immense mass of the patristic writings; but, in general, it would be difficult to conceive anything more coarse or more repulsive than the manner in which they regarded it. The relation which nature has designed for the noble purpose of repairing the ravages of death, and which, as Linnæus has shown, extends even through the world of flowers, was invariably treated as a consequence of the fall of Adam, and marriage was regarded almost exclusively in its lowest aspect. The tender love which it elicits, the holy and beautiful domestic qualities that follow in its train, were almost absolutely omitted from consideration. The object of the ascetic was to attract men to a life of virginity, and, as a necessary consequence, marriage was treated as an inferior state. It was regarded as being necessary, indeed, and therefore justifiable, for the propagation of the species, and to free men from greater evils; but still as a condition of degradation from which all who aspired to real sanctity should fly. To 'cut down by the axe of Virginity the wood of Marriage,' was, in the energetic language of St. Jerome, the end of the saint; and if he consented to praise marriage it was merely because it produced virgins. Even when the bond had been formed, the ascetic passion retained its sting. We have already seen how it embittered other relations of domestic life. Into this, the holiest of all, it infused a tenfold bitterness. Whenever any strong religious fervour fell upon a husband or a wife, its first effect was to make a happy union impossible. The more religious partner immediately desired to live a life of solitary asceticism, or at least, if no ostensible separation took place, an unnatural life of separation in marriage. The immense

place this order of ideas occupies in the hortatory writings of the Fathers, and in the legends of the saints, must be familiar to all who have any knowledge of this department of literature." *

Perhaps the most permanently mischievous consequence of primitive asceticism was that which has established over the greater part of Christendom the rule of clerical celibacy.

"That one great branch of the Church should have so ordered the domestic life of the clergy for a thousand years that a priest should be in virtue of his office a suspected person and his house a suspected house, about which nearly every Church assembly that meets must pass a warning canon, is a standing blot upon Christianity which concerns us all."

That opinion of the present Bishop of Salisbury will commend itself as just to every student of mediæval history. In connection with this subject the reader may be referred to the learned discussion in chapter iv. of the Bishop's "Ministry of Grace." The chapter is entitled, "Christian Asceticism and the Celibacy of the Clergy," and is filled with curious learning and weighty judgments.

* See "History of European Morals," vol. ii. p. 320f, Eleventh Edition.

II.—When the Empire became professedly Christian a powerful new influence was brought to bear on the development of Christian morality. The Church, in modern phrase, now became established by the State, and at once displayed the conservative temper which marks all established institutions. The law and system of the Empire received a measure of consecration when Constantine added the cross to the Roman standards and reigned as a Christian sovereign.

There was both gain and loss in the change. It bred a new spirit of demoralising complaisance in Christian minds, and opened an epoch of clerical corruption, but it also brought the influence of the Gospel to bear over a far larger area of human life, and affected for good the laws and their administration. The institutions of the Christian emperors, says Gibbon, “appear to fluctuate between the custom of the Empire and the wishes of the Church.” Yet in fundamental principles the Empire and the Church were antagonistic. “Christi-

anity," wrote Bishop Westcott in his remarkable essay on "The Two Empires: the Church and the World," "was destined by its very nature not to save but to destroy the Empire," and perhaps the truth of this observation is nowhere more clearly seen than in the handling of marriage. The influence of the Empire long restrained the full operation of Christian ideas, and before those ideas could find free expression the Empire had to be destroyed.

We may select for sufficient example the case of the marriage of slaves. Two questions were to be answered in connection with this subject. In the first place, might slaves marry at all? In the next place, might they marry any save slaves? The Roman law did not regard the slave as a person, but as a chattel; accordingly marriage was not in his case permissible. Human nature, however, is stronger than legal theory, and, in point of fact, unions, which may fairly be regarded as marriages, were contracted by slaves with the consent of their masters. Christianity accepted

slavery as part of the natural order of human life, and adopted into its own discipline the rule that, apart from the master's consent, there could be no marriage of slaves. In the view of the ancients slaves and children stood in the same position so far as personal liberty went. Bingham says:

“And therefore it was equally a crime for a slave to marry without consent of the master as for a child to do it without consent of parents. And for the same reason a slave was not allowed either to enter himself into a monastery, or take orders, without the consent of his master . . . because this was to deprive his master of his legal right of service, which, by the original state and condition of slaves, was his due: and the Church would not be accessory to such frauds and injustice, but rather discouraged them by prohibitions and suitable penalties laid upon them.” *

It is sufficiently evident that this could not be a final, and was never a satisfactory, solution of the problem; with the Gospel in its hands, and with its calendars of martyrs including names of slaves, it was not possible for the Church really to accept the view that slaves were not persons as well as other Christians. Yet it

* See “Antiquities,” book xvi. sect. iii.

was a very long and gradual process before the Christian spirit overcame the prejudices of Imperial society. A Gallic council in the sixth century cancelled the marriages of slaves which had been effected without the consent of their masters, and refused the protection of the Church to those slaves who sought it with a view to marriage.

Even more alien from modern sentiment was the attitude of the Church towards the marriages of slaves and free persons. The severe laws on the subject were acquiesced in, and it is hard to demonstrate any ameliorative effects from the association of Church and State. The most we can hope to make out is that the influence of Christianity was a humanising factor in the life of the time, stimulating the tendency towards manumission of slaves, restraining the worst abuses of power, and softening the hardships of servile life.

In the society of the Empire a rapid process of disintegration had gone far to destroy the rigid subordination of the female sex, and, to

quote the words of Sir Henry Maine, "the situation of the Roman female, whether married or unmarried, became one of great personal and proprietary independence." He continues :

"But Christianity tended somewhat from the very first to narrow this remarkable liberty. Led at first by justifiable disrelish for the loose practices of the decaying heathen world, but afterwards hurried on by a passion of asceticism, the professors of the new faith looked with disfavour on a marital tie which was in fact the laxest the Western world has seen. The latest Roman law, so far as it is touched by the Constitutions of the Christian emperors, bears some marks of a reaction against the liberal doctrines of the great Antonine jurisconsults." *

Justinian, acting under the influence of the Church, so far abandoned the old contractual notion of marriage, which prevailed in the Roman law, as to prohibit divorce by mutual consent, but his legislation in this particular was beyond the endurance of his subjects. His successor, Justin, repealed his prohibitions in deference to the popular wishes. With the downfall of the Empire in the West, and the

* See "Ancient Law," p. 156, Tenth Edition.

great increase of ecclesiastical power, which was not the least consequence of that downfall, a new chapter may be said to open in the history of Christian marriage.

III.—Without pressing unduly the statements of Tacitus, we may allow that the German tribes which assaulted the frontiers, and finally conquered the territories, of the Roman Empire, brought with them a respect for the female sex, which had no counterpart in the corrupt society which they entered. This natural sentiment allied itself with the theological tendency to exalt the position of the Virgin Mary in the system of Christian thought and worship.

It is agreed by all students that the cultus of the Virgin in its turn affected the position of women. Female chastity was invested with an almost superhuman majesty in the eyes of the Teutonic converts, and the extraordinary fervour for monastic life which they manifested was the direct consequence. Guizot is probably right in ascribing much

importance to what he calls "the feudal family."

"The feudal family . . . lived separated from the rest of the population, shut up in the castle. The colonists and serfs made no part of it; the origin of the members of this society was different, the inequality of their situation immense. Five or six individuals in a situation at once superior to and estranged from the rest of the society, that was the feudal family. It was, of course, invested with a peculiar character. It was narrow, concentrated, and constantly called upon to defend itself against, to distrust, and, at least, to isolate itself from, even its retainers. The interior life, domestic manners, were sure to become predominant in such a system. . . . Domestic life necessarily, therefore, acquired great sway. Proofs of this abound. Was it not within the bosom of the feudal family that the importance of women developed itself? " *

Chivalry was in its origin as much aristocratic as religious; the poetry of sex began within the narrow confines of a small hereditary class, and from thence exerted its humanising influence over wider and always widening circles of social life. Precisely in the same way did the political liberties of the modern world develop. First the reign of privilege

* See "History of Civilisation," vol. i. p. 71.

and the bracing conflicts in defence of privilege against aggressive powers; then the development of doctrines of human rights in the course of the conflicts, and the practical necessity of association in defence of those rights. Finally, the extension of the doctrines over the whole area of civic life.

The German spirit was intensely individualistic, domestic, aristocratic, sentimental; and when it passed under the discipline of Christianity, it received a truly amazing exaltation, which has left its mark on the politics, literature, and art of modern Europe, and perhaps most remarkably on the conceptions of family life which now prevail among us. Moreover, while Imperial society had been pre-eminently urban, German life was pre-eminently rural. The town is the natural enemy of the home; the country is the natural sphere of the family. Thus the habits and the circumstances of the conquerors of the Roman empire co-operated with the other forces of

the time to develop among them a lofty doctrine of marriage.

IV.—We have said that the downfall of the Roman Empire brought as one of its consequences a great increase of ecclesiastical power. The famous description of the Papacy as “the ghost of the Roman Empire sitting crowned on the tomb thereof” is as true as it is eloquent. To the barbarian races who settled within the Empire the Popes of Rome seemed to succeed to the prestige and authority of the Augusti. To the suffering populations, who had been reduced to servitude by the conquerors, the Popes appeared as champions and protectors. They earned their supremacy by their services alike to the Germans, whom they brought within the pale of the Church, and to the provincials, for whom they kept alive the saving traditions of civilisation. The religion and the law of the Empire persisted through the great catastrophe, but both underwent a transformation.

Mediæval Christianity and the Canon Law

were the result of the new circumstances under which the imperial legacy of civilisation, ecclesiastical and civil, was accepted and developed in the West. The faith and morals of the Gospel had to be presented intelligibly to uncivilised nations, and a system of ecclesiastical discipline strong enough to bring barbarians under control had to be created. This is the explanation and the excuse of the two grand features of mediæval Christianity, the Papacy and the Monastic system. Everything was materialised. The clergy became priests; the spiritual claim of the hierarchy became a frankly political claim to secular supremacy. The sacraments became means of grace in the most literal sense of the phrase, conveying their supernatural gift apart from the moral condition of the recipient. A spirit of systematic and mechanical sacramentalism penetrated every part of the religious system, that is, every part of the whole scheme of human life, for the Church gathered all things within its scope.

Marriage necessarily passed under this governing tendency. It became in the hands of the mediæval moralists a sacrament, one of the Seven Sacraments; all its incidents were frankly subject to ecclesiastical control; it was declared to be absolutely indissoluble; divorce from the bond of marriage was totally prohibited. A theory of marriage was expressed in the canons, which reflected the ideal of sacerdotalist thinkers rather than the wisdom of practical statesmen. This theory was formally and finally bound on the Roman Church by the Council of Trent. The contractual and personal aspects of marriage are completely subordinated to the ecclesiastical. The State and the individual are overridden by the Church. The Imperial element and the Teutonic element are absorbed by the ecclesiastical. In the Catechism of the Tridentine Council it is actually laid down that the presence of a priest is indispensable for the validity of a Christian marriage.

Such theoretical rigidity is not for this world.

The mediæval Church soon found itself compelled to tolerate much that violated its exalted doctrine. A vast system of ecclesiastical dispensations was elaborated, by means of which a working harmony was effected between an unyielding theory and a lax practice. Bishop Creighton did not speak excessively when he described the mediæval system as "a mass of fictions or dispensations and subterfuges." Perhaps there was an element of fitness in the fact that the English Reformation had its first occasion in a matrimonial conflict, for in no part of the ecclesiastical system was the discrepancy between the official doctrine and the official practice more sharply exhibited.

CHAPTER V

EFFECT OF THE REFORMATION ON MARRIAGE

IT has been already pointed out that in the course of the Middle Ages marriage had "lost its civil character," and become altogether part of the ecclesiastical system. It was one of the Seven Sacraments, and as such possessed the "indelible character." Divorce with liberty of re-marriage was altogether prohibited. This rigorous law was quite beyond human endurance, and the Church had to provide the mitigations of its own theory. These were provided in the elaborate system of dispensations, by means of which unhappy and impolitic marriages were, on one pretext or another, nullified, and many unions, prohibited by the canons, were made possible. The exaltation of the papal power was materially helped forward by the public

demand for dispensations, and the strongest possible impetus was given to their issue by the enormous wealth which they brought into the papal exchequer.

But with the money there entered into the system the most demoralising influence in the world. Dispensations were easily granted to the wealthy, hard to obtain for the poor. All the evidence available demonstrates that the marriage system, with its rigorous theory and numerous dispensations, had come to work so badly, that in every part of Christendom men's consciences were restive. It was inevitable that the Reformation would make its influence felt in the law and practice of marriage.

In the year 1520 Luther put forth from the press the book entitled "On the Babylonian Captivity of the Church" In this work he discusses the different parts of the Christian system, and shows how they have been mishandled and depraved under the rule of the Papacy. In the section treating of

matrimony he begins by denying that marriage is properly to be described or regarded as a sacrament.

“ Since matrimony has existed from the beginning of the world, and still continues even among unbelievers, there are no reasons why it should be called a sacrament of the new law and of the Church alone. The marriages of the patriarchs were not less sacred than ours, nor are those of unbelievers less real than those of believers; and yet no one calls them a sacrament. Moreover, there are among believers wicked husbands and wives worse than any Gentiles. Why should we then say there is a sacrament here and not among the Gentiles? ”

He points out the ignorant misunderstanding of St. Paul's language, which enabled the traditionalists to pretend that marriage was styled a sacrament in the Scripture. Then he passes from the ecclesiastical theory to the actual working of the system:

“ What shall we say of those impious human laws by which this divinely appointed manner of life has been entangled and tossed up and down? Good God! it is horrible to look upon the temerity of the tyrants of Rome, who thus, according to their own caprices, at one time annul marriages and at another time enforce them. Is the human race given over to their caprice

for nothing but to be mocked and abused in every way, and that these men may do what they please with it for the sake of their own fatal gains? . . . I rejoice, however, that these disgraceful laws have at length attained the glory they deserve, in that by their aid the men of Rome have nowadays become common traders. And what do they sell? The shame of men and women, a merchandise worthy of these traffickers, who surpass all that is most sordid and disgusting in their avarice and impiety. There is not one of those impediments which cannot be removed at the intercession of mammon, so that these laws seem to have been made for no other purpose than to be nets for money and snares for souls in the hands of those greedy and rapacious Nimrods, and in order that we might see in the holy place, in the Church of God, the abomination of the public sale of the shame and ignominy of both sexes. A business, alas! worthy of our pontiffs, and fit to be carried on by men who, with the utmost disgrace and baseness, are given over to a reprobate mind, instead of that ministry of the Gospel which, in their avarice and ambition, they despise."

Luther regarded himself as defending the divine institution of marriage against the interested laxity of the Popes:

"The union of husband and wife is one of divine right, and holds good, however much against the laws of men it may have taken place, and the laws of men ought to give place to it without any scruple. For if a man is to leave his father and mother and cleave to his wife, how much more ought he to tread under foot the frivolous

and unjust laws of men, that he may cleave to his wife? If the Pope, or any bishop or official, dissolves any marriage, because it has been contracted contrary to the papal laws, he is guilty of treason against God, because this sentence stands: ' Whom God hath joined together, let not man put asunder.' "

He effectively demolishes the ecclesiastical doctrine as to " fanciful spiritual affinities," and asks unanswerably whether the Christian man is not the " brother " of the Christian woman, so that on the principle that spiritual relationship is to determine lawfulness of marriage, no marriage between Christians could ever be permissible. Throughout Luther writes in a spirit of practical good sense which makes short work of the artificial teaching which had been elaborated by the canonists, and brings the whole subject on to the plane of average everyday life.

It is to be noted that the Saxon reformer did not stand alone in taking up this ground against the papal system. The mediæval Church did not appear to those who revolted against it as the champion of marriage, but as precisely

the contrary, and this in spite of the rigorous doctrine established by the canonists, and affirmed by the Council of Trent. The dispensation system was in the eyes of Protestants the root of endless evil. That "where a doctrine fails it can be supplied by the Pope's power" led in practice to general demoralisation and the rule of the purse. Nearly one hundred and fifty years after Luther published his treatise on the "Babylonian Captivity of the Church," Jeremy Taylor wrote with just severity of the current Roman casuistry that its doctrines

"legitimate adulterous and incestuous marriages, and disannul lawful contracts: they give leave to a spouse to break his or her vow and promise; and to children to disobey their parents, and, perhaps, to break their mother's heart, or to undo a family. No words can bind your faith, because you can be dispensed with; and if you swear you will not procure a dispensation, you can as well be dispensed with for that perjury as the other; and you cannot be tied so fast but the pope can unloose you. So that there is no certainty in your promise to God, or faith to men; in judicatories to magistrates, or in contracts with merchants; in the duty of children to their parents, of husbands to their wives, or wives to their contracted husbands; of a catholic to a heretic; and last of all, a subject to his prince cannot be bound

so strictly, but if the prince be not of the pope's persuasion, or be by him judged a tyrant, his subjects shall owe him no obedience." *

There was unquestionably large justification for such language, yet we cannot but perceive that it fails to do substantial justice to the system it so severely condemns. The ambition and greed of the popes were no doubt factors in the development of the dispensation system which the reformers repudiated, but they were not the dominant factors. Allowance must be made for the standing problem of ecclesiastical administration, viz.: how to reconcile a divine, and therefore an unyielding, law to the infinite and bewildering eccentricities of human action. Very soon Luther had to realise in a very humiliating and unfortunate experience the difficulties of that problem. The story of Luther's condemnation of bigamy in a special case is thus given by Professor Lindsay in his admirable history of the Reformation :

* See "A Dissuasive from Popery," Works, ed. Heber vol. x, p. 252.

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“ Philip (Landgrave of Hesse) had married when barely nineteen a daughter of Duke George of Saxony. Latterly, he declared that it was impossible to maintain conjugal relations with her; that continence was impossible for him; that the condition in which he found himself harassed his whole life, and prevented him coming to the Lord’s Table. In a case like his, Pope Clement VII. only a few years previously, had permitted the husband to take a second wife, and why should not the Protestant divines permit him? He prepared a case for himself which he submitted to the theologians, and got a reply signed by Bucer, Melancthon and Luther, which may be thus summarised:—

“ ‘ According to the original commandment of God, marriage is between one man and one woman, and the twain shall become one flesh, and this original precept has been confirmed by our Lord; but sin brought it about that first Lamech, then the heathen, and then Abraham, took more than one wife, and this was permitted by the law. We are now living under the gospel, which does not give prescribed rules for the regulation of the external life, and it has not expressly prohibited bigamy. The existing law of the land has gone back to the original requirement of God, and the plain duty of the pastorate is to insist on that original requirement of God, and to denounce bigamy in every way. Nevertheless the pastorate, in individual cases of the direst need, and to prevent worse, may sanction bigamy in a purely exceptional way; such a bigamous marriage is a true marriage (the necessity being proved) in the sight of God and of conscience; but it is not a true marriage, with reference to public law or custom. Therefore such a marriage ought to be kept secret, and the dispensa-

tion which is given for it ought to be kept under the seal of confession. If it be made known, the dispensation becomes *eo ipso* invalid, and the marriage becomes mere concubinage.'

"Such was the strange and scandalous document to which Luther, Melancthon and Bucer appended their names.

"Of course the thing could not be kept secret, and the moral effect of the revelation was disastrous among friends and foes." *

Professor Lindsay has convinced himself, by a careful study of all the evidence, that in this deplorable proceeding Luther was not actuated by any unworthy motive, but led astray by his inherited theory of the dispensing power of the Church. "He thought honestly that the Church did possess this power of dispensation even to the length of tampering with a fundamental law of Christian society, provided it did not contradict a *positive* scriptural commandment to the contrary. The crime of the Curia, in his eyes, was not issuing dispensations in *necessary cases*, but in giving them in cases without proved necessity, *and for money*."

* See "History of the Reformation," vol. i. p. 380.

This melancholy episode is very illuminating. It shows the difficulty into which the reformers were brought by their repudiation of the elaborate ecclesiastical machinery, which had been slowly constructed to match the needs of human nature and secure some application to human life of the Christian law of marriage. They were perforce driven back on the Scripture, which they invested with the character of a sufficient, infallible, and self-explanatory rule of life. In these connections, where human conduct in the relationships of society was concerned, they found themselves drawn more to the Old Testament than to the New. The reason is plain enough. The New Testament gave extremely little guidance in practical matters, for most of the writings which it contained were biographical, or theological, or occasional; but the Old Testament contained in the earlier books the legislation of a commonwealth, and to that extent covered the ground of the abrogated canon law. The reformers had little power of discrimination;

for the historical sense was as yet undeveloped, and their exalted theory of the Bible as a whole made all parts of it sacred and binding alike.

All this was not immediately favourable to a high conception of marriage, for the standard of the Old Testament is not a Christian standard, and the sacramental doctrine of the mediæval Church marked a great advance of Christian thought. There is something almost pathetic in the conflict between their Judaic standard provided by the Old Testament, and their Christian spirit inspired by the New.

When Fuller, following the plan of his quaint treatise on "The Holy State," would find an illustration for the guidance of Christian folk of "the good husband," he selects the polygamist Abraham, whose name stands in the sacred record in more than one morally dubious narrative. Fuller was neither a polygamist, nor a slave-holder, nor a champion of incestuous liberty; but he had to use much wit and some adroitness in order to keep out of view

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all these characters of his pattern husband. The tone of his counsels, moreover, is more Jewish than Christian. Here is his description of marital forbearance. The good husband, he says, bears with his wife's infirmities:

“ All hard using of her he detests; desiring therein to do not what may be lawful, but fitting. And, grant her to be of a *servile* nature, such as may be bettered by beating; yet he remembers he hath *enfranchised* her by marrying her. On her wedding-day she was, like St. Paul, ‘ free-born,’ and privileged from any servile punishment.”

Fuller, in selecting the patriarch as the model husband, did but follow the example of the Prayer-Book which proposes Sarah as the model wife in the often-criticised paragraph with which the homily in the marriage service ends:

“ For after this manner in the old time the holy women also, who trusted in God, adorned themselves, being in subjection to their own husbands; even as Sarah obeyed Abraham, calling him lord; whose daughters ye are as long as ye do well, and are not afraid with any amazement.”

In England a part of the ancient papal power of issuing dispensations was reserved, and

transferred by statute to the Archbishop of Canterbury, and the mediæval canons were still held to govern the procedure of the ecclesiastical courts, so far as they did not contravene prerogative, custom, or statute. The whole consequences of the breaking-up of Christendom were only gradually perceived. The evangelical principles, which the reformers professed, expressed themselves in legislation and practice slowly, and haltingly.

Three changes, however, were made at the Reformation which had a beneficent effect on the theory and practice of Christian marriage. There were : I. The definite repudiation of ascetic views of human life; II. The abrogation throughout the Protestant world of the ascetic rule of clerical celibacy; III. The exaltation and widely-extended circulation of the New Testament. To these changes there may perhaps be added, though with somewhat less confidence, the creation of the modern State.

I. The opening paragraph of Lord Acton's

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lecture on the "Beginning of the Modern State" will serve excellently to indicate the nature of the change which passed over Christendom when the mediæval epoch ended:

"Modern history tells how the last four hundred years have modified the mediæval conditions of life and thought. In comparison with them, the Middle Ages were the domain of stability, and continuity, and instinctive evolution, seldom interrupted by such originators as Gregory VII. or St. Francis of Assisi. Ignorant of history, they allowed themselves to be governed by the unknown Past; ignorant of Science, they never believed in hidden forces working onwards to a happier future. The sense of decay was upon them, and each generation seemed so inferior to the last, in ancient wisdom and ancestral virtue, that they found comfort in the assurance that the end of the world was at hand."*

In this state of feeling there could be no free expansion of the human spirit; a dead weight of self-conscious futility hung over life, and the deeper natures felt its burden most. Marriage is the climax and covenant of human life, and it cannot take its due place in the estimate of mankind, unless human life is

* See "Lectures on Modern History," p. 31.

reckoned a grand and potent thing, full of energy, promise and happiness.

Now, throughout the Middle Ages, marriage was regarded by the best Christians of both sexes as implying something short of the rightful method of living. If one were indeed what the Gospel called men to become, then one would enter "religion," that is, become a monk or nun. Archbishop Trench has rightly offered this use of the word "religion" as an example of words preserving a record of a perversion of the moral sense. He says:

"We have a signal example of this, in the use, or rather misuse, of the word 'religion,' during all the ages of Papal domination in Europe. A 'religious' person did not mean any one who felt and allowed the bonds that bound him to God and to his fellow-men, but one who had taken peculiar vows upon him, a member of the monkish orders; a 'religious' house did not mean, nor does it now mean in the Church of Rome, a Christian household, ordered in the fear of God, but a house in which these persons were gathered together according to the rule of some man. A 'religion' meant not a service of God, but a monastic order; and taking the monastic vows was termed going into a 'religion.' What a light does this one word so used throw on the entire state of mind and habits of thought in those ages!

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That then was 'religion,' and nothing else was deserving of the name! And 'religious' was a title which might not be given to parents and children, husbands and wives, men and women fulfilling faithfully and holily in the world the several duties of their stations, but only to those who had devised such a self-chosen service for themselves." *

This radically false conception of the meaning and value of human life was carried into every household and neighbourhood by the ubiquitous monastic system, and by the multitudes of preaching friars. It is hard for us now to realise the dominating place in mediæval Europe held by the monastic institutions. At the dissolution of the monasteries in England there had been already a considerable reduction in the number, but, even so, Henry VIII.'s Government dissolved more than eight hundred houses, some of them very small, but many of them splendid and famous.†

Every Englishman grew up in the neigh-

* See "On the Study of Words," pp. 8, 9, Twelfth Edition.

† A complete list of English religious houses will be found in Gasquet's "English Monastic Life," pp. 251-318.

bourhood of some monastery, and a great proportion of the people were connected with the system either as members, or servants, or tenants. Marriage was stamped with the badge of moral inferiority; child-bearing was wrapped up in a doctrine of hereditary sin; the shadow of the Fall lay darkly on family life. There was a suggestion of evil concupiscence in the joys of home. All this ascetic sentiment was disallowed by the Reformation. By an uprising of the genuine human sentiments, too long suppressed by the artificial disciplines of the mediæval Church, but in the Bible frankly recognised and consecrated, the ill tradition was once for all broken. Christian marriage could not but benefit in the first place, and in the greatest measure, from the change.

II.—In the same direction worked the abrogation of the ascetic rule of clerical celibacy. We have already spoken of the immense mischiefs which followed to the clergy from this rule, by bringing them into

universal suspicion; but it is not only so that mischief was caused. The clergy throughout the Middle Ages were to a very great extent married, though against the law of the Church; and their unions, instead of being what they have admittedly since become in every Protestant country, a valuable moral force, providing a model of Christian family life all over the community, and associating family life intimately with the profession of Christianity, were looked upon as sinful, winked at by authority in order to avoid worse things, but none the less made the subject of continual public denunciation. The moral influence of the clergy was weakened, and the marriage union was degraded by the notorious and commonly witnessed discord between the theory of the Church and the practice of its representatives.*

Christianity itself has taken a humaner tone as expounded by men who are themselves

* The evidence is collected and set out in Lea's "History of Sacerdotal Celibacy in the Christian Church."

husbands and fathers, and a close student of theological literature will soon learn to recognise the notes of artificiality and lack of sympathy which mark the work of unmarried moralists. Lord Bacon must perhaps be reckoned an advocate for clerical celibacy on grounds of practical utility, but he admits frankly enough the indurating tendency of the single life. He says:

“Certainly, wife and children are a kind of discipline of humanity; and single men, though they be many times more charitable because their means are less exhaust, yet, on the other side, they are more cruel and hard-hearted (good to make severe inquisitors), because their tenderness is not so oft called upon.” *

Clerical marriage has disadvantages from the point of view of ecclesiastical discipline which are sufficiently obvious, but there can be no doubt that few influences can be more degrading on the whole conception of domestic life in any community, than that the official exponents of religion should be exiled by reason of their sacred profession

* See “Essays,” ed. Reynolds, p. 52.

from the disciplines, sorrows, and joys of home.

III.—The Reformation brought into general knowledge the life of Christ, and the writings of the apostles. In this circumstance may be recognised the most powerful of all the forces which have tended to exalt the theory and practice of Christian marriage. For when full allowance has been made for ascetic elements in the Apostolic teaching, for their mistaken expectation that the world was about to end, for the moral confusions of their hereditary Judaism, it remains the case that the New Testament, taken as a whole, is fatal to asceticism, eminently favourable to all those pure and gentle sentiments which most flourish within the domestic sphere, and carries to the individual, in the most moving and salutary of its expressions, the spirit of Jesus Christ.

Experience would teach the reformers and their followers that they could not find in the Old Testament a code of Christian morals; in due course the historical spirit would be

developed among students, and by its aid men would come to read the sacred literature with larger intelligence and a more discriminating appreciation; social science would have something to say in aid of the statesmen, who would succeed the canonists in the task of regulating what must always be the chief of all contracts, and the most socially important of all institutions; but the New Testament would only become the more evidently supreme in the regard of Christians as time disallowed all rivals.

It appears to be the fact that the morally soundest family life within Christendom is to be found precisely in those classes and sections of society which most cherish and use the New Testament. It is hard to conceive a greater calamity to any Christian community than that, for whatever reason, the New Testament should fall out of the constant use and supreme regard of the people. The Reformation brought with it the translation of the Bible into the vernacular languages of modern

Europe, and its general diffusion among the Protestant nations; it gave also a powerful stimulus to public education, and greatly raised the standard of the general intelligence.

Thus the Bible came to a public able to read and value it. In their hands that sacred volume (and in this connection pre-eminently what is said of the Bible must be understood to apply to the New Testament) was a power of moral discipline, cleansing and ordering life, immensely more effective than the elaborate, ubiquitous, always active machinery of ecclesiastical authority.

To let the Bible be crowded out of public knowledge by the inrush of newer claimants is to wound the national morality in a vital place. The New Testament has always been the grand corrective of ecclesiastical aberrations, and the authoritative source of Christian morals; in the Reformation it became the manual of individual practice and the accepted rule of family life, accepted not adequately of course in practice, but universally in principle,

and over a large area of the national life of Protestant societies, earnestly followed. Now it is threatened, not with deliberate rejection, for never were the tributes to its excellence so many or so ardent, but threatened with the silent contempt of universal neglect, with a ceremonious exclusion from the public system of national education, with a practical rejection in the interest of a religious literature more favourable to reviving clericalist ambitions.

Yet the New Testament remains the best of all securities for the sanctity of marriage and the purity of social life. Of the influence of the modern State, which may be said in some sense to have emerged at the Reformation, we must speak in the next chapter, when it will be necessary to draw into some agreement the lines of thought which have been pursued, and to indicate the way of Christian duty with regard to the vital interest of marriage under the conditions of modern life.

CHAPTER VI

CHRISTIAN MARRIAGE UNDER MODERN CONDITIONS OF LIFE

THE Reformation broke up the unity of Western Christendom, and made impossible the system of ecclesiastical government which had been built up on the assumption of that unity; but this was by no means all the change it effected. Within the separated states of Europe there was no longer any security for religious agreement, and in point of fact the Reformation inaugurated a long series of domestic conflicts and devastating wars of religion, which, after the interval of more than a century, left the religious divisions, from which they mainly arose, not only existing, but deepened and stereotyped. Under these circumstances it is clear that the national churches which replaced the mediæval Church were

doubly incompetent to retain control of a matter so important, and in its effects so wide-reaching, as marriage. They were not of themselves strong enough to resist the encroachments of civil authority; and, within the State, they could not reckon on the undivided support of the community. The State, and the State alone, had power enough, and a sufficiently undisputed title, to take control of marriage.

Accordingly, in every modern community we find that marriage is no longer a matter of ecclesiastical regulation, but has its place in the civil codes. Europe has in this respect returned to the conditions of the *præ*-mediæval epoch, when the vast fabric of the Roman Empire remained unshattered. It is important to bear in mind that the civil control of marriage is no novelty of recent birth, but an indispensable return to conditions which obtained before the dominance of the Church had been established. Ecclesiastical control of marriage could not possibly survive the

dislocation of the ecclesiastical system, and the weakening in men's minds of those sacramental and sacerdotal notions, which had ruled the thought of Christendom for a thousand years.

"Marriage is nothing but a civil contract," said Selden. "'Tis true 'tis an ordinance of God; so is every other contract. God commands me to keep it when I have made it." It is to be remembered that the Reformation, in adding greatly to the power of the State, did also rescue the notion of the State from the unworthy conceptions of the mediæval canonists, and asserted on its behalf a supremacy, based on divine appointment, which secured for its action a religious sanction, and commended that action to the conscientious acceptance of Christian folk. The State, however, clearly acted with far more liberty than the Church, and was compelled to take account of many considerations which the Church could leave out of reckoning. The State was not bound by precedents as was the Church; and the

State had primarily to legislate for the social welfare of the entire community, and not for the presumed spiritual advantage of individuals.

It needs no prolonged examination of the circumstances under which the rival authorities necessarily acted to see that a wide discrepancy of law and method would speedily become apparent between them. The Church in theory could not vary, for the law it applied to human life claimed to be divine, and therefore unalterable. The State, when it had shaken off the ecclesiastical and Biblical notions of its constitution, was necessarily the reflection of the popular will, and by the law of its own being forced to adapt itself to the varying requirements of popular opinion.

To those who accept the claim of any organised society of Christians to express with plenary right the mind of Christ, it is clear enough that this discrepancy between the ecclesiastical and the civil handling of marriage will appear nowise perplexing. They will

apprehend what is their duty without any hesitation. The law of the Church—according to their theory—holds their allegiance by divine right; they must obey God rather than men. This simple and, to those who can accept it, satisfactory solution of a difficult problem will not be possible for the student of social science, or of history, or of ecclesiastical law. For he will be met at the start by the unquestionable fact that all the assumptions of that facile theory are unsound.

There is *no* institution now existing on the earth which can make out a good title to the character of the divinely-ordained exponent of the mind of Christ; there is no agreement between the churches on the subject of marriage; the conditions of a sound political treatment of the most important of all social relationships are only now coming within the range of human knowledge, as science, physiological and sociological, yields her witness. It is plain enough that the task of determining the way of duty for a Christian man is by no

means so easy as the zealots of the churches pretend.

There are three aspects of marriage which must always be taken into account by the Christian citizen, and which are affected in varying degrees and measures by his discipleship. First of all, marriage is the fundamental *natural* relationship; next, it is the most important of *social* contracts; finally, it is (for every Christian who marries as alone Christians may rightly marry, "in the Lord") a *holy estate* entered by a divine vocation.

Of these three aspects the State is concerned only with the first two; the third has no meaning or importance outside the sphere of Christian discipleship. The Church has no special illumination with respect to the natural or to the social aspects of marriage, but only to the religious. The principles of Christ's religion are indeed the right principles on which natural and social relationships must be controlled; but the application of those principles is left to the decision of Christians,

associated and individual, to be made in the light of experience as it is interpreted by the Spirit of God.

Experience is a wide term; it gathers within itself all the accumulations of relevant knowledge, as well as the specific warnings and encouragements of history. When the Christian with the Gospel in hand aspires to learn his duty here and now, he must assuredly abandon the simple notion that he carries a set of sufficient oracles which can meet all the demands of the situation. He must never fall so far from the whole meaning of discipleship as to suppose that it gives him some short and easy way out of political and social difficulties. The Gospel does certainly give him the point of view from which all such difficulties must be regarded, and it assists his vision of duty by the precepts and example of Christ, but it leaves him as the rest of men to learn practical wisdom in the stern school of life.

If there be a discrepancy between the

traditional teaching of Christianity on the subject of divorce and the laws of the modern State, that is *primâ facie* a reason for carefully re-examining the traditional teaching of Christianity: and it is this because the laws of the modern State must be supposed to represent the deliberate decisions of citizens taken with full knowledge of all the circumstances of society at the present time, and therefore presumably expressing the latest testimony of human experience.

It is not maintained that a careful re-examination of Christian traditional teaching will necessarily lead to an endorsement of the legislation of the modern State; for it does not admit of doubt that such legislation may be determined by some wave of licentious opinion sweeping across a community, and for the moment carrying all before it, and the traditional doctrine of Christianity, with which it comes into opposition, may represent the true conclusions of human experience. It may do this, but it may not; and therefore the

argument is that in all cases there should be a frank and thorough consideration of the situation, to which the State is necessarily required to address itself, before there is issued a declaration of war between Church and State.

On the subject of divorce there are some excellent observations by Dr. Newman Smyth, which may well be quoted here:

“ Jesus undoubtedly laid down an absolute ethical principle concerning the marriage relation in what he was called to say in view of the loose divorce customs of the Jews. That principle from which his precept proceeded should be law in Christian ethics. Moreover, the particular instance which was the only one considered in Christ’s declaration of the true principle of divorce, required the simplest and most unequivocal assertion of the sanctity of the obligation of marriage. For adultery, the instance considered, is the direct breach of the marriage relation. It is the one sin which immediately and unmistakably illustrates the only valid reason on which divorce, according to Christ’s teaching, may be legally allowed—the ground that the union between husband and wife has already in fact been criminally destroyed. There is no other legitimate principle for divorce than that presented by the nature of the sin of adultery. If, however, we can say with a good conscience that some other sin (some sin which possibly in Christ’s

day had not reached its full measure of iniquity—a sin, for instance, like drunkenness, which may utterly destroy the spiritual unity of a home and threaten even the physical security of one of the persons bound by the vows of marriage) is the moral equivalent of the cause which our Lord had immediately before him for pronouncing divorce, shall we be justified in admitting it to be likewise a proper Christian ground of divorce?

“Such is the question fairly stated upon which Christian moralists have not been entirely agreed. Our answer to it will depend very much on two considerations. The first will be our general habit of reading the New Testament as another law, or of interpreting its precepts to the best of our understanding in what we may judge to have been the spirit in which they were spoken, remembering the Master’s own saying that his words are spirit and they are life. The other consideration will be our confidence in the correctness of the premise that the special sin alleged, by which the marriage union has been violated, is the moral equivalent of adultery. In proportion as we are satisfied that it is in its consequence as destructive of the possibility of moral continuance in the married relation, we shall be inclined to think that it is included under the supreme principle which controlled the judgment of Jesus concerning certain habits, at which Moses winked, of the easy putting away of a wife. In other words, we shall argue that divorce for such other cause justifies itself to the Christian conscience, because we are satisfied that Jesus himself, if he were present and speaking to the men of our times, in the same intent and spirit in which he spoke of old, would pronounce this cause to be as heinous as adultery in its destruction of the sacredness

of the marriage bond. The validity of this reasoning will become further apparent when we recall the consideration already alluded to, that there are conditions, other than adultery, in which the whole ethical and spiritual truth of marriage is so destroyed that for the innocent person to continue in the married state would be abhorrent to all pure instincts, and would seem itself to be like a participation in an adulterous relation." *

It would seem to be the case that Christianity under modern conditions must affect marriage indirectly rather than directly. Take for instance the natural relationship itself, apart from legal and ecclesiastical regulation altogether. It is an agreed point that the essence of that natural relationship, that is, ultimately, the moral validity of the marriage covenant, depends upon the free, voluntary, intelligent, deliberate consent of both the parties. Now the meaning of all these adjectives will depend upon the standard of individual self-respect which the parties to the marriage accept.

Christianity ought certainly to have the effect of cleansing and exalting the act of

* See "Christian Ethics," p. 413f, Third Edition.

consent, on which finally everything depends. Indirectly the Gospel disallows those melancholy unions which are planned by covetous or ambitious parents for their children, into which their children are hurried, often at a scandalously early age, always under conditions which render the notion of free, voluntary, intelligent, deliberate consent absolutely grotesque. These marriages, which profane the sanctuary in the making, pollute society in the unmaking. They are invalid from the first.

Let it be observed that it has only been by slow degrees that Christians have realised the requirements of the Gospel in the matter of personal independence. That the indispensable element in marriage should be, not the consent of parents and guardians, though that is rightly held to be important, but the affectionate choice of the individuals themselves, is a very modern, and by no means even yet an universal, opinion. Assuredly, however, it is the direct consequence of the

exaltation of individuality which is implied in the religion of the Incarnation. Christianity brought into play the conscience of the individual, and that conscience must determine consent in Christian marriage. While thus marriage has been exalted at the start it is certainly the case that the whole conception of what the marriage union ought to be has been magnified by the Gospel.

When St. Chrysostom calls the Christian's house a "little church" he does but utter an inevitable reflection of Christian husbands and wives. It needed no ecclesiastical prohibitions to make clear the unfitness of marriage between persons who were not, in the deepest concerns and interests of life, at agreement. How could parental responsibility, raised indefinitely by the conviction that Christian children are "holy to the Lord," be happily fulfilled in a divided household, where the convictions underlying duty were not shared by both parents, but by one of them were denied and disregarded? What devout

Christian could "consent" to enter on the marriage covenant with the assurance of that fatal and continuing dissidence? How many sad travesties of marriage would never have taken place, how long a series of lamentable scandals would have been avoided, if this fundamental factor of "consent" had been determined on Christian principles!

Similarly, when we pass from the natural relationship pure and simple, and consider the social relationship, which is the subject of legal regulation, is it not clear that the indirect influence of Christianity ought to be powerful and beneficent. In so far as restrictions of choice are determined by considerations of social well-being they can command the approbation of Christianity, which insists on the duty of self-suppression in the general interest.

The difficult questions which are now being raised by the students of social science will best be answered in an atmosphere of unselfishness. Ought marriage to be permitted be-

tween persons affected by certain forms of disease? Ought the mentally infirm to be permitted to marry? Ought intermarriage between Europeans and negroes to be encouraged, or even tolerated? These, and many similar questions, are in debate; and for their due answering they demand, not only accurate knowledge of the relevant facts, but also a self-suppressing temper of mind, and a willingness on the part of individuals to sacrifice their natural franchise to the clear interest of the public. There is no rival to Christianity as a power able to create the self-suppressing temper.

Christian marriage ought to be plainly recognisable as the true version of marriage, that which most completely fulfils the natural law of sexual relationship and brings to society the greatest strength and enrichment. The contribution which the Christian Church can make to the advancement of the general life and the guidance of the modern State is mainly

indirect. What the divine Founder said at the first is nowhere more plainly illustrated. "Ye are the light of the world: ye are the salt of the earth." The Church is set to maintain an ideal in the midst of human society, and gradually, by the winning attractiveness of that ideal, to draw society itself into harmony and pursuit.

For the best of all reasons Christians, from the very beginning of Christianity, have consecrated the marriage union by solemn and significant religious ceremonies. Marriage, asking so much of the individuals, carrying so rich a freight of blessings, and charged with powers of such irretrievable misery, so noble and in its perversions so degraded, gathering into itself all that makes human life gentle, chivalrous, serviceable, sublime, and by a fatal and malignant Nemesis turning all these graces into elements of infamy for those who profane it, cannot be suffered to lie outside the sanctions and aids of Religion.

Marriage is either the most effective instrument through which the religion of Christ bears upon mankind for good, or the most pitiable revelation of its spiritual failure. "It concerns all that enter into those golden fetters to see that Christ and His Church be in at every of its periods, and that it be entirely conducted and overruled by religion." For the understanding, and any measure of attainment, of this ideal of marriage, it is evident that Christian discipleship must be pre-supposed in the parties; but that pre-supposition cannot be made in the case of vast numbers of people.

It follows, then, that the Christian ideal is incapable as men are at present of being universally imposed. The State must make its legislation accord with the actual condition of the citizens; and all that the Christian citizen can rightly or reasonably attempt to secure is that the action of the State shall tend towards the gradual but continuous raising of the national standard to the Christian

ideal. Christ did not disallow the reasoning which had led the Lawgiver to tolerate a laxity of divorce, which He Himself emphatically condemned. He recognised "the hardness of men's hearts," that is, their crude and rudimentary morals at an early stage of social development, as a valid justification for the Mosaic permission of the Bill of Divorcement.

By a sound analogy we may acquiesce in a lower standard of the general law than Christians for themselves can accept. But our acquiescence in such a lower standard itself constitutes a special reason why we should the more jealously guard Christian principles within the sphere of Christian profession. So only can we fulfil the duty which as Christian citizens we owe to the nation and preserve inviolate our allegiance to Christ.

It is the task of the Church, and it is within the power of the Church, to create and sustain a Christian atmosphere in the national life,

and to carry into the popular acceptance, by continual affirmation, and far more by general illustration, the principles of the Gospel. The temptation of the Church under modern conditions is to draw apart from the popular life, repudiating its moral laxity, and marking by a deep dividing line of artificial discipline the frontiers of Christianity. It is both unreasonable and unjust to yield to this temptation.

The unreasonableness is sufficiently apparent when it is remembered that the very reason of the Church's existence is the moral regeneration of mankind, and therefore that retirement from the attempt to leaven with Christian principles the general life implies nothing less for the Church than self-stultification. The injustice consists in the refusal to allow for the novel situation which now confronts statesmen. The mere scale of modern communities is itself a difficult and dismaying circumstance, which adds immensely to the perplexities of Government, but the wholly

unprecedented fact that these vast communities are composed of independent citizens, educated up to the level of understanding and insisting upon their political rights, is even more significant.

It is neither just nor reasonable for the Church to ignore the conditions which, under these circumstances, must determine political action. It is vain to discuss the laws of marriage and divorce apart from the broad probabilities of their practical acceptance.

When the moral control of nations resides in sovereigns, or hierarchies, or in a ruling class however designated, it is possible to impose on the people a code of conduct which may be far superior to their desires, but this possibility no longer exists when the balance of political power has shifted from individuals and classes to the community itself. Then it is quite futile to endeavour to establish a higher standard of morals in the laws than that which is already established in the

acceptance of the people. Laws, as Burke said, follow manners, not manners laws, in democracies.

Never in the history of mankind has there been such a situation as exists to-day, a situation in which the dream of the self-forgetting legislator of Israel seems to be taking practical shape and "all the Lord's people are prophets," a situation which does plainly lend itself to fearful departures from righteousness, but none the less implies grander possibilities of social excellence than any hitherto accessible to the race. Everything turns on the standard of sexual purity which shall be accepted by the people; let that be high, and the marriage law will, in the very first place, reveal the fact; let it be degraded, and the earliest victim to its depraving influence will be the covenant of marriage.

The Christian Church, then, is charged with the most solemn and perplexing obligation, viz.: to take frankly into consideration all the

circumstances which affect the national life and determine the action of the State, and to declare charitably and responsibly what shall be the application of the principles of the Gospel. The Church, in fulfilling this obligation, will not act as in the past, when for a hundred sufficient reasons the whole powers of the society were delegated to its executive. The clergy can no more be accepted as identical with the Church; they must return to their true position as servants and pastors of the congregation, leaders of its worship, guardians of its discipline, charged to fulfil in it the ministry of the Word, having no lordship over it or independence of it. The mind of the Christian society must be expressed through all the organs of expression which the Holy Spirit is inspiring with utterance.

With the Gospel as the basis of fundamental principle, the moral philosopher, the social student, the physician, the physiologist must come to some agreement as to the practical demands of Christian discipleship, and

these demands, thus certified, all good Christians must insist upon and, as far as lies their power, establish in the laws of the Empire.

The making of rules lies primarily with the specially illuminated, but all members of the Christian society, in all its sections, and under all descriptions, are called to sustain in the world the law of chastity, and to win men by their example to acknowledge the beauty of holiness. Within the Christian society itself the evangelical ideal of marriage ought to be affirmed and enforced, and the sacramental character of the natural relationship vindicated and displayed. Within the sphere of Christian discipleship the sordid and cruel profanations of the marriage covenant ought to be disallowed, and the cynical judgments they provoke ought to be disproved:

“ Marriage-making for the earth,
With gold so much—birth, power, repute so much,
Or beauty, youth so much, in lack of these! ”

From the hallowed enclosure of the Church

the sacred fire of domestic love, kindled from the altar of divine love, shall be carried far and wide into the world of human life, and shall create everywhere the light and warmth of home.



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